

FW: OPRA request - DUI/DWI/Drug Possession arrests and/or summonses

Antoinette Jones <ajones@ptboro.com>

Wed 3/6/2019 9:39 AM

To: Chief Richard P. Larsen <rlarsen@ptboropd.com>;

Cc: Shannon McIninch <SMcIninch@ptboro.com>; Catherine Cooper <ccooper@ptboropd.com>;

Please see below.

Antoinette Jones, RMC, CMR
Borough Clerk
Pt. Pleasant Borough
2233 Bridge Avenue
Pt. Pleasant, NJ 08742
(732) 892-3434 Ext. 117
Email ajones@ptboro.com

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

From: OCSN 32 <opra+request-4321-51dfebf6@requests.opramachine.com>

Sent: Monday, March 04, 2019 10:13 AM

To: Antoinette Jones <ajones@ptboro.com>

Subject: OPRA request - DUI/DWI/Drug Possession arrests and/or summonses

Dear Point Pleasant Borough,

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

Records requested:

Please provide the redacted incident and/or police reports for all DUI, DWI and/or Drug Possession arrests, summonses in Point Pleasant Borough, NJ that police responded to in February. Please include February 1st - 28th (2/1/19-2/28/19)

Yours faithfully,

OCSN 32

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-4321-51dfebf6@requests.opramachine.com

Is ajones@ptboro.com the wrong address for OPRA requests to Point Pleasant Borough? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=point_pleasant_borough

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/duidwidrug_possession_arrests_an_10

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

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



Point Pleasant Police Department
Arrest Report

Page: 1
03/06/2019

Arrest #: 19-40-AR

Call #: 19-2909

Date/Time Reported: 02/08/2019 @ 1917
Arrest Date/Time: 02/08/2019 @ 1935
Booking Date/Time: 02/08/2019 @ 1940

Court: Point Pleasant Municipal Ct
Court Date: 03/04/2019 @ 1615
Reporting Officer: OFFICER Ryan Barker
Assisting Officer: Sergeant Robert Wells
Booking Officer: OFFICER Ryan Barker
Approving Officer: Lieutenant David Radsniak

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	COLEMAN, TERRANCE MICHAEL 138 WOODLAND AVE BAY HEAD NJ 08742	M	W	64	*****	*****

Military Active Duty: N

HEIGHT: 508

WEIGHT: 160

HAIR: GRAY OR PARTIALLY GRAY

EYES: BLUE

BODY: SLIM

COMPLEXION: FAIR

DOB: *****

PLACE OF BIRTH: POINT PLEASANT, NJ

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: *****

ETHNICITY: NOT HISPANIC

LOCAL ID: [REDACTED]

[APPEARANCE]

GENERAL APPEARANCE: ORDERLY

GLASSES WORN: NO

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
COLEMAN	TERRANCE		NOT AVAIL	NOT AVAIL
COLEMAN	TERRY		NOT AVAIL	NOT AVAIL
COLEMAN	TERRENCE		NOT AVAIL	NOT AVAIL
COLEMAN	TERRANCE,	M.	NOT AVAIL	NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED

EMPLOYER/SCHOOL: TERRANCE M. COLEMAN CHIROPRACT
2911 RT 88
POINT PLEASANT NJ 08742

OCCUPATION: SELF EMPLOYED

Point Pleasant Police Department
Arrest Report

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Arrest #: 19-40-AR
Call #: 19-2909

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: OFFICER Ryan J Barker DATE/TIME: 02/08/2019 @ 1945
PHONE USED: Y PHONED DATE/TIME: 02/08/2019 @ 2130
ARRESTEE SECURED: N

FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Not Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Highway/Road/Alley/Street Zone: Zone A
RT 88 @ BAY AVE
Point Pleasant NJ 08742

1	RECKLESS DRIVING 39:4 96 OCCURRED: 02/08/2019 1917 REFER TO CITATION#: E19-000131	N	Violation
2	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/08/2019 1917 REFER TO CITATION#: E19-000130	N	Violation

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	HAGER, ALEXANDRA 909 SUNSET AVE POINT PLEASANT NJ 08742 DOB: *****	WITNESS	F	W	26	NOT AVAIL	*****
2	SPIRENG, THOMAS 2200 CHRISTINE CT POINT PLEASANT NJ 08742 DOB: *****	WITNESS	M	W	18	*****	*****
3	CAMPBELL, DOUGLAS G 111 PRINCETON AVE LAVALLETTE NJ DOB: *****	OTHER	M	W	59	*****	*****
4	O'CONNOR, HAILEY D 3218 COHOCTON AVE POINT PLEASANT NJ 08742 DOB: *****	PARTICIPANT	F	W	18	*****	*****

ADDITIONAL ASSISTING OFFICERS

OFFICER Travis Popiel

OFFICER Jesse Waterson

Attachments for 19-40-AR

**Point Pleasant Police Department
Arrest Report**

Page: 3
03/06/2019

**Arrest #: 19-40-AR
Call #: 19-2909**

ADDITIONAL ASSISTING OFFICERS

OFFICER Travis Popiel

OFFICER Jesse Waterson

Attachments for 19-40-AR

Description	Type
DEPT CASE REPORT	PDF
Attachment#: 04E18463ED5742228631015EABC83DC0	
FINGERPRINT CARD	PDF
Attachment#: 3DD7127730D247ECB236005663601F0A	
POTENTIAL LIABILITY WARNING	PDF
Attachment#: 40E670D404A447598193DBCFFE3A7620	
DRINKING DRIVER QUESTIONNAIRE	PDF
Attachment#: 4437E035853F497991ECB673A6F344EB	
[REDACTED]	PDF
Attachment#: 4E8EDD4679134BF4A0E7AC6D1A24E466	
MIRANDA WARNING	PDF
Attachment#: 5B52CFDCE1E54057A72E03EE8DDA3F51	
EVIDENCE BAG	PDF
Attachment#: 61A07ACA24634EB4AF04ABEDF8E00DBA	
DIGITAL PHOTO LOG	PDF
Attachment#: 67FDD144F01A4CC2ADFD9A48A8D56A4E	
ACCIDENT REPORT	PDF
Attachment#: 7D141DFE3EAF4F5D9056C9F041B0E730	
BAY HEAD ALCOTEST CERTS	PDF
Attachment#: 81BD8C32576542039CE298F71CBE2C30	
ALCOHOL INFLUENCE REPORT/CALCULATOR - BAY HEAD	PDF
Attachment#: 8464B3F9D06B4415AFD6034E46DF478D	
E-TICKETS	PDF
Attachment#: 9D5EA2C9C4DE42FC855F2A88427E7945	
DRIVER LICENSE	PDF
Attachment#: AC43FE532B874FB38F7468692087CC19	
NJ ATTORNEY GENERALS STANDARD STATEMENT	PDF
Attachment#: BBB6F897D9B7410E8719154103706C26	
NJ STATE POLICE CRIMINAL INQUIRY	PDF
Attachment#: C37CDB6FA98946BBBFE2CB0D6C88D183	
ALCOHOL INFLUENCE REPORT - POINT PLEASANT	PDF
Attachment#: C6DAB85F90A04C5FA0C34B2A04476539	
DRINKING DRIVING REPORT	PDF
Attachment#: CD7093E4AF9A41AC96B61590059AC885	
OFFICER ALCOTEST CERT	PDF
Attachment#: EA6A853E992548EAA53993AA3A985845	
PERSONAL PROPERTY RECEIPT	PDF
Attachment#: F6AB61F18C78454C8646447A9CBAFC5E	

NARRATIVE FOR OFFICER RYAN J BARKER

Ref: 19-40-AR

Entered: 02/10/2019 @ 2326 Entry ID: 0107
Modified: 02/22/2019 @ 1556 Modified ID: 0107
Approved: 02/22/2019 @ 1609 Approval ID: 0140

On 2/8/19 at approximately 19:17 hours the Point Pleasant Police Department received a call from a female later identified as Alexandra Hager. Ms. Hager stated she observed a 2 car motor vehicle crash in the area of Rt 88 and Bay Ave. Prior to the crash, the involved Jeep that rear ended the car was swerving.

P.O. Popiel and I, P.O. Barker responded in our marked patrol vehicles with lights, sirens and Mobile Video Recorders activated. We were the first to arrive on scene. We observed NJ:K19DGB parked with its hazard lights activated, eastbound Rt 88, west of Bay Ave. The vehicle was being operated by Ms. Hager. In front of Ms. Hager was a black Jeep, later identified as NJ:DCTMC. While arriving on scene I observed an older white male wearing a dark jacket and tan pants enter the driver's seat of the black Jeep. When walking up to speak with Ms. Hager, I observed the same white male exited the black Jeep's driver's seat and also determined the Jeep's engine was running.

P.O. Waterson arrived on scene.

Ms. Hager explained to me she had been driving behind NJ:DCTMC on eastbound Rt 88 since Beaver Dam Rd(approximately $\frac{3}{4}$ mile). She stated "I watched him go over 2 curbs." She clarified her statement to specify the "Jeep". She kept her distance while following as the vehicle was swerving. She then explained the light was "Red as could be" (Regarding the traffic signal Rt 88/Bay Ave) at which point the Jeep ran into another vehicle, later identified as NJ:P76HXL.

After speaking with Ms. Hager, I walked over to a male later identified as Thomas Spireng. He was the passenger of NJ:P76HXL and immediately expressed concerns about the operator of NJ:DCTMC. Mr. Spireng stated the operator of NJ:DCTMC was "slurring his speech a little bit" when he was talking to him.

At this point I approached the male operator of NJ:DCTMC and immediately recognized him as Terrance Coleman, a local Chiropractor in Point Pleasant, NJ. Mr. Coleman was on the passenger side of his vehicle looking around in the front seat as P.O. Waterson had previously requested he obtain his driver's license, registration and insurance. He provided me with his insurance card however, did not give me his registration card or driver's license. As I requested the documents again, he began searching in his wallet. While this was happening I asked Mr. Coleman questions regarding the crash. He had a difficult time diverting his attention and appeared to only be able to focus on one task at a time. When Mr. Coleman spoke to me, I detected a strong slur in his speech and along with a strong odor of an alcoholic beverage emanating from his breath. His eyes were observed to be very watery and also bloodshot. As he stood on the passenger side of his vehicle, he leaned against

NARRATIVE FOR OFFICER RYAN J BARKER

Ref: 19-40-AR

Entered: 02/10/2019 @ 2326 Entry ID: 0107
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it.

Sgt. Wells arrived on scene and P.O. Popiel cleared the scene.

Mr. Coleman was advised of the concerns of possible intoxication originating from Ms. Hager and Mr. Spireng. I asked him if he had been drinking at all this evening to which he replied "No". Furthermore, Mr. Coleman stated he did not have a drop of alcohol, no medication, no injuries and nothing that would impair his ability to drive a motor vehicle.

Mr. Coleman walked with me to a nearby gas station lot which was well lit. As he walked, he took short steps and once he stood still he began swaying heavily and needed to regain his balance by putting his foot out in front of himself. He continued to stand with a wide stance.

Mr. Coleman agreed to participate in Standardized Field Sobriety Testing. The testing was performed on a flat, level asphalt surface which was free of debris. Mr. Coleman confirmed he normally did not have any problems with balancing. He also confirmed he was comfortable performing the testing in the shoes he was wearing which were a closed toe casual dress shoe.

Horizontal Gazed Nystagmus

First, I conducted the Horizontal Gaze Nystagmus test (HGN) on Mr. Coleman. I asked Mr. Coleman to follow the tip of my pen (Stimulus) with his eyes only and not to move his head. I observed Mr. Coleman's eyes to be watery, equal in pupil size and to have no resting nystagmus. Both eyes tracked equally. I observed lack of smooth pursuit in both eyes, nystagmus at maximum deviation in both eyes and onset of nystagmus prior to 45 degrees in both eyes immediately. I did not witness Vertical Nystagmus.

One Leg Stand

I requested Mr. Coleman to stand with his feet together and arms at his sides. While explaining to Mr. Coleman how I wanted him to stand, I physically demonstrated the same in front of him. He took the stance described above.

While Mr. Coleman stood in front of me, he began swaying heavily side to side and lost balance once, causing him to regain his balance and reenter the starting position. I then explained the instructions for the One Leg Stand Test. I advised Mr. Coleman that when instructed to begin, he was to raise either leg of his choice six inches off the ground, foot pointed flat while keeping his legs straight. While keeping his arms down at his sides he was to count out loud "one thousand one" "one thousand two" "one thousand three" and continue until told to

Once I explained the test, Mr. Coleman advised he understood and after I requested him to begin, he lifted his left foot in the air and immediately lost balance towards his right causing him to regain his balance by putting his left foot back on the ground. He reentered the starting position and attempted the test for a second time. Once he began again, he lifted his left foot, counted one thousand one and lost balance towards his rear causing him to regain his balance by putting his left foot back on the ground. Without reentering the starting position, he attempted to lift his left foot again causing him to lose balance and put both feet back on the ground. He then performed this act a second time at which point I terminated the remainder of the testing as it was clear Mr. Coleman was unable to perform any balancing tests, causing me to be concerned for his safety. At this point I determined Mr. Coleman had operated NJ:DCTMC while intoxicated.

Mr. Coleman was handcuffed behind his back utilizing the double locking handcuff technique. While searching Mr. Coleman, [REDACTED]
[REDACTED] Mr. Coleman was then placed in the rear of my marked patrol vehicle where his seatbelt was secured and he was advised the rear of the vehicle was audio and video recorded.

NJ:DCTMC was later impounded by Ocean Bay Auto.

Mr. Coleman was transported to Police Headquarters. He was given his Miranda Warning and was read the N.J. Attorney General's Standard Statement For Motor Vehicle Operators (N.J.S.A. 39:4-50.2(e)) to which he replied "Yes". After completing the statement, I began my 20 minute observation period beginning at 19:52 hours utilizing the clock on the Evidence computer. Prior to the start of observation, I inspected Mr. Coleman's mouth to ensure it was empty.

After removing all cell phones, portable radios and MVR microphones from the processing area and completing the 20 minute observation period, I conducted the breath testing. Mr. Coleman provided 2 sufficient samples of his breath after being instructed "I want you to take a deep breath and blow into the mouthpiece with one long, continuous breath. Continue to blow until I tell you to stop. Do you understand these instructions?" before each breath. During each breath sample, a separate mouth piece was utilized.

After Mr. Coleman's second sufficient breath sample, the Alcotest 7110 MKIII-C sustained a Control Test Fail. It was at this point I transported Mr. Coleman to Bay Head Police Department to utilize its Alcotest 7110 MKIII-C. After arriving in their cell block, I conducted the 20 minute observation period beginning at 20:47 hours.

After removing all cell phones, portable radios and MVR microphones from the processing area and

completing the 20 minute observation period, I conducted the breath testing. Mr. Coleman provided 2 sufficient samples of his breath after being instructed "I want you to take a deep breath and blow into the mouthpiece with one long, continuous breath. Continue to blow until I tell you to stop. Do you understand these instructions?" before each breath. During each breath sample, a separate mouth piece was utilized.

Mr. Coleman's 2 sufficient breath samples resulted in a BAC reading of .12%. These results were entered into the New Jersey State Police Alcotest Calculator and were found to be within acceptable tolerance.

At this point, I transported Mr. Coleman back to Point Pleasant Police Headquarters where he was fingerprinted and photographed. He was charged with 39:4-50 Driving While Intoxicated (E19-000130) and 39:4-96 Reckless Driving (E19-000131). He was issued a mandatory court date of 3/4/19 at 16:15 hours.

Douglas Campbell was contacted as requested by Mr. Coleman. He later arrived at Police Headquarters and completed the John's Law Form. Mr. Coleman was released from police custody to Mr. Campbell.

[REDACTED]

On 2/9/19 Mr. Coleman [REDACTED]
[REDACTED]
[REDACTED]

Property Receipts, Miranda Warning, Complaints (E19-000130 & E19-000131), Fingerprint Card, (2) Alcohol Influence Reports, NJSP Alcotest Calculator Results, N.J. Attorney General's Standard Statement For Motor Vehicle Operators (N.J.S.A. 39:4-50.2(e)), Potential Liability Warning, Drinking Driving Questionnaire, Drinking - Driving Report and Evidence Receipt submitted to Records.

Video Evidence Request Form and Digital Photo Log submitted to Detective Bureau.

Reference 19-44-AC for Crash Report

P.O. Barker 0107

NARRATIVE FOR OFFICER RYAN J BARKER

Ref: 19-40-AR

Entered: 02/10/2019 @ 2326	Entry ID: 0107
Modified: 02/22/2019 @ 1556	Modified ID: 0107
Approved: 02/22/2019 @ 1609	Approval ID: 0140

P.O. Barker 0107

Court ID 1524	Prefix E19	Ticket Number 000130	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE: (732) 899-1636
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 01/14/2023 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

TERRANCE M COLEMAN
138 WOODLAND AVE
BAY HEAD, NJ 08742
Telephone: [REDACTED]
Birth Date: 01/14/1966
Eyes: BLUE
Sex: MALE
Weight: [REDACTED]
Height: 509
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No: **DCTMC**
Vehicle Make: JEEP
Color: BLACK
Plate State: NJ
Year: 2012
Body Type: WAGON
Exp Date: 11/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS

Date of Offense: 02/08/2019 Time: 07:17 PM ☒ Breathalyzer

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☒ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: **RT 88** Municipality: **POINT** County: **OCEAN** Mun. Code (Offense): **1524**

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/08/2019 **RYAN J BARKER** 0107
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEB SITE AT WWW.NJMVC.GOV.

PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes:

Citation #: 1524 E19 000130

CAR 9
19-2909

Court ID 1524	Prefix E19	Ticket Number 000131	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE: (732) 899-1636
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 01/14/2023 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

TERRANCE M COLEMAN
138 WOODLAND AVE
BAY HEAD, NJ 08742
Telephone: [REDACTED]
Birth Date: 01/14/1966
Eyes: BLUE
Sex: MALE
Weight: [REDACTED]
Height: 509
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No: **DCTMC**
Vehicle Make: JEEP
Color: BLACK
Plate State: NJ
Year: 2012
Body Type: WAGON
Exp Date: 11/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

30:4-96 - RECKLESS DRIVING

Date of Offense: 02/08/2019 Time: 07:17 PM ☒ Breathalyzer

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☒ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: **RT 88** Municipality: **POINT** County: **OCEAN** Mun. Code (Offense): **1524**

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/08/2019 **RYAN J BARKER** 0107
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes:

Citation #: 1524 E19 000131

CAR 9
19-2909



Point Pleasant Police Department
Arrest Report

Page: 1
03/06/2019

Arrest #: 19-42-AR
Call #: 19-3158

Date/Time Reported: 02/11/2019 @ 2215
Arrest Date/Time: 02/11/2019 @ 2250
Booking Date/Time: 02/11/2019 @ 2255

Reporting Officer: OFFICER Jesse Waterson
Assisting Officer: OFFICER Ryan Grohowski
Booking Officer: OFFICER Jesse Waterson
Approving Officer: Lieutenant David Radsniak

Signature: _____

Bail For Court: Point Pleasant Municipal Ct
Cash Bail Set 475.00
Cash Bail Set
Bail Set By: MUNIC Municipal Court Judge
Bail Unpaid:

Set: 08/21/2018 @ 0800

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	SMITH, LATUNYA J. 2643 MIDWAY AVE MANCHESTER NJ 08759	F	B	39	*****	*****

Military Active Duty: N

HEIGHT: 507

WEIGHT: 160

HAIR: BLACK

EYES: BROWN

BODY: MEDIUM

COMPLEXION: BLACK

DOB: *****

PLACE OF BIRTH: NJ

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: *****

ETHNICITY: NOT HISPANIC

LOCAL ID: [REDACTED]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

GLASSES WORN: NO

TATTOOS: TAT ARM(TANYA), TAT UL ARM(CHINESE LETTERS), TAT UR ARM(SNAKE W/TANYA)
TAT NECK(CROSS W/ROSE & ARTHUR)

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
SMITH	LATUNYA	J	*****	*****
SMITH	TANYA		*****	*****
SMITH	LATANYA		*****	*****

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

EMPLOYER/SCHOOL: T.R SMILES DENTAL [REDACTED]
941 RT 37 WEST #5
TOMS RIVER NJ 08753

OCCUPATION: DENTAL ASST.

**Point Pleasant Police Department
Arrest Report**

Page: 2
03/06/2019

**Arrest #: 19-42-AR
Call #: 19-3158**

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

FINGERPRINTED: Y
 PHOTOGRAPHED: Y
 SUICIDE CHECK: Performed
 PERSONS: State&Federal
 WANTED BY: LAKEWOOD TOWNSHIP FOR NCIC WARRANT FOR SIMPLE ASSAULT
 NCIC VEHICLE CHECK: Not Performed
 INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Hotel/Motel/Temp. Lodgings Zone: Zone A
 POINT PLEASANT INN
 1609 BAY AVE Apt. #18
 POINT PLEASANT NJ 08742

1	ARREST ON A WARRANT 2A A OCCURRED: 02/11/2019 2215	N	Not Applicable
2	ARREST ON A WARRANT 2A A OCCURRED: 02/11/2019 2215	N	Not Applicable
3	POSSESS MARIJUANA/HASH UNDER 2C:35 10A4 OCCURRED: 02/11/2019 2215 CRIMINAL ACTIVITY: Possessing/Concealing	N	Non Indictable
4	USE OR POSSESSION WITH INTENT TO USE 2C:36 2 OCCURRED: 02/11/2019 2215 CRIMINAL ACTIVITY: Possessing/Concealing	N	Non Indictable

Attachments for 19-42-AR

Description	Type
WARRANT DOCUMENTATION	PDF
Attachment#: 3ADED4E800824C6D8B10317036FE7493	
SUPPLEMENTAL DOMESTIC REPORT	PDF
Attachment#: 435589B1B4E94A3AB61EF79B69CF3167	
COMPLAINT SUMMONS	PDF
Attachment#: 91327F4D147046BE93F000402334CC8E	
PERSONAL PROPERTY RECEIPT	PDF
Attachment#: ADC96632519D4CDAAE39D08ADAB8350D	
NJ STATE POLICE ARREST NOTIFICATION	PDF
Attachment#: B1D2279E79C4401282D78640C1EF0C5C	
VINE FORM	PDF
Attachment#: BD6A3E81B7454032979249CD0C77851D	
FINGERPRINT CARDS	PDF
Attachment#: E2ECB946C57B4B7883EE39C355F57949	
NCIC 2000 RESPONSE	PDF
Attachment#: E91B47ECB5C44F0083FDF679D7C60E96	

On 02/11/2019 at 22:50 hours, Latunya J. Smith was arrested for an NCIC warrant (W065317937) out of Lakewood Twp. and a ACS warrant (S 2018 000141) out of our jurisdiction for \$475.00. Ms. Smith was also charged on a complaint-summons with Possesion of Marijuana under 50 grams and Possession of Paraphernalia. See 19-109-OF for additional information.

P.O. Jesse Waterson #0245

COMPLAINT - SUMMONS

COMPLAINT NUMBER
1524 S 2019 000021

COURT CODE: PREFIX: YEAR: SEQUENCE NO.
POINT PLEASANT BORO MUN CT
P.O. BOX 25
PT PLEASANT NJ 08742-0000

COUNTY OF: **OCEAN**

of CHARGES: **2** CO-DEFTS: POLICE CASE #: **19-3158**

COMPLAINANT NAME: **JESSE WATERSON**
2233 BRIDGE AVE
ATTN WARRANTS
POINT PLEASANT NJ 08742

THE STATE OF NEW JERSEY

VS.

LATUNYA J SMITH

ADDRESS: **2643 MIDWAY AVE**

MANCHESTER

NJ 08759-0000

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **BROWN**

DOB: **02/19/1979**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

LIVSCAN PCN #: **152401004192**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **02/11/2019** in **POINT PLEASANT BORO OCEAN County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE OR A CONTROLLED SUBSTANCE ANALOG THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY BY WHILE LATUNYA SMITH WAS BEING PLACED UNDER ARREST FOR A WARRANT NO S2018000141 WHILE IN THE PARKING LOT OF 1609 BAY AVE POINT PLEASANT NJ 08742 A SMOKING PIPE WITH BLACK BURNT RESIDUE INSIDE INDICATIVE OF BURNT MARIJUANA WAS FOUND INSIDE HER PURSE.

WITHIN THE JURISDICTION OF THIS COURT, USE OR POSSESS WITH INTENT TO USE DRUG PARAPHERNALIA TO INHALE, INTRODUCE INTO THE HUMAN BODY A CONTROLLED DANGEROUS SUBSTANCE OR CONTROLLED SUBSTANCE ANALOG, SPECIFICALLY BY LATUNYA SMITH WHILE IN THE PARKING LOT AT 1609 BAY AVE POINT PLEASANT NJ 08742 SHE WAS PLACED UNDER ARREST FOR A WARRANT NO. S 2018 000141 HAD IN HER POSSESSION A WHITE AND BROWN SMOKING PIPE WITH A BLACK BURNT RESIDUE INSIDE.

In violation of:

Original Charge 1) **2C:35-10A(4)**

2) **2C:36-2**

3)

Amended Charge

CERTIFICATION:

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

Signed: **JESSE WATERSON**

Date: **02/12/2019**

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Municipal Court in the county of: **OCEAN** at the following address: **POINT PLEASANT BORO MUN CT**

P.O. BOX 25

2233 BRIDGE AVE

PT PLEASANT

NJ 08742-0000

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

Date of Arrest: **02/11/2019** Appearance Date: **03/04/2019** Time: **04:00PM** Phone: **[REDACTED]**

Signature of Person Issuing Summons: **JESSE WATERSON**

Date: **02/12/2019**

☐ Domestic Violence - Confidential

☐ Related Traffic Tickets or Other Complaints

☐ Serious Personal Injury/ Death Involved

Special conditions of release:

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

ORIGINAL



Point Pleasant Police Department
Arrest Report

Page: 1
03/06/2019

Arrest #: 19-46-AR
Call #: 19-3607

Date/Time Reported: 02/17/2019 @ 0006
Arrest Date/Time: 02/17/2019 @ 0013
Booking Date/Time: 02/17/2019 @ 0127

Court: Point Pleasant Municipal Ct
Court Date: 03/04/2019 @ 1615
Reporting Officer: OFFICER Matthew Mergner
Assisting Officer: OFFICER Ryan Grohowski
Approving Officer: Sergeant Edward Miller

Signature: _____
Released: 02/17/2019 @ 0745

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	FERREIRO-SARDUY, FRANCISCO A. 5206 BERGENLINE AVE Apt. #18 WEST NEW YORK NJ 07093-5541	M	W	46	*****	*****

Military Active Duty: N

HEIGHT: 511

WEIGHT: 270

HAIR: BLACK

EYES: HAZEL

BODY: OBESE

COMPLEXION: LIGHT BROWN

DOB: *****

PLACE OF BIRTH: NOT AVAIL.

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: *****

ETHNICITY: HISPANIC

LOCAL ID: [REDACTED]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

GLASSES WORN: NO

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
SARDUY	FRANCISCO		NOT AVAIL	NOT AVAIL
CRUZ	RODNEY	I	NOT AVAIL	*****
FERREIRO	FRANCISCO		NOT AVAIL	*****
FERREIRO	FRNCISCO	A	NOT AVAIL	*****
SARDUY	FRANCISCO	A	NOT AVAIL	*****

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED

SPOUSE'S NAME: FERREIRO, YONAIRA

Point Pleasant Police Department
Arrest Report

Page: 2
03/06/2019

Arrest #: 19-46-AR
Call #: 19-3607

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: OFFICER Matthew G Mergner DATE/TIME: 02/17/2019 @ 0034
PHONE USED: Y PHONED DATE/TIME: 02/17/2019 @ 0620
ARRESTEE SECURED: Y 02/17/2019 0143
ARRESTEE CELL #: 3

FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Not Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Highway/Road/Alley/Street Zone: Zone B
BARTON AVE @ CEDAR ST
POINT PLEASANT NJ 08742

1	POSSESS MARIJUANA/HASH UNDER 2C:35 10A4 OCCURRED: 02/17/2019 0006 CRIMINAL ACTIVITY: Possessing/Concealing	N	Non Indictable
2	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/17/2019 0006	N	Violation
3	PENALTIES FOR REFUSAL TO SUBMIT TO BREATH TEST 39:4 50.4A OCCURRED: 02/17/2019 0006	N	Violation
4	RECKLESS DRIVING 39:4 96 OCCURRED: 02/17/2019 0006	N	Violation
5	CARELESS DRIVING 39:4 97 OCCURRED: 02/17/2019 0006 FINE: 78.00	N	Violation
6	OPERATING M.V. IN POSSESSION ON CDS 39:4 49.1 OCCURRED: 02/17/2019 0006	N	Violation

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	STATE OF NEW JERSEY 2233 BRIDGE AVE POINT PLEASANT NJ 08742 VICTIM CONNECTED TO OFFENSE NUMBER(S): 3 4 5 6					*****
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**Point Pleasant Police Department
Arrest Report**

Page: 3
03/06/2019

**Arrest #: 19-46-AR
Call #: 19-3607**

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	FERREIRO, YONAIRA 32 EMBROIDERY ST SAYREVILLE NJ 08872 DOB: *****	OTHER	F	U	40	NOT AVAIL	*****

#	DRUG(S)	PROPERTY #	STATUS
1	GREEN LEAFY SUBSTANCE QUANTITY: 0.000 (Gram) OWNER: FERREIRO-SARDUY, FRANCISCO A.	VALUE: \$0.00	Seized (Not Previously Stolen) DATE: 02/17/2019
2	YELLOW LIQUID QUANTITY: 0.700 (Milliliter) OWNER: FERREIRO-SARDUY, FRANCISCO A.	VALUE: \$0.00	Seized (Not Previously Stolen) DATE: 02/17/2019
3	YELLOW LIQUID QUANTITY: 0.750 (Milliliter) OWNER: FERREIRO-SARDUY, FRANCISCO A.	VALUE: \$0.00	Seized (Not Previously Stolen) DATE: 02/17/2019

ADDITIONAL ASSISTING OFFICERS

OFFICER Nicholas Rossi

Sergeant Edward Miller

Attachments for 19-46-AR

Description	Type
DMV & REGISTRATION RESPONSE WITH PHOTO Attachment#: 2F5F7E0F46C04414A9982599D2CCAD34	PDF
FINGERPRINT CARD Attachment#: 3639BE39949B4FA19FB5C7909FB16C0A	PDF
SUICIDE EVALUATION FORM Attachment#: 402772AC9E764AE58092768CBE15DB02	PDF
NJ ATTORNEY GENERAL STANDARD STATEMENT Attachment#: 48F8145F81E34EF68B8D791A09650435	PDF
DEPT CASE EVIDENCE REPORT Attachment#: 4B06DE454FDD4789A1988B0917252465	PDF
OFFICER ALCOTEST & DRE CERTS Attachment#: 8C4FEECC2D814CF98B145872C68AF183	PDF
LAST DRINK LOCATION REPORT Attachment#: 978E74F1681346ED841FF69A8DC4B9E5	PDF
PERSONAL PROPERTY RECEIPT Attachment#: 9B373EAC516C4E79BC21B7F4A48D2157	PDF
DRINKING DRIVING REPORT Attachment#: A9609FC817774C519B31147D86407E32	PDF
MIRANDA Attachment#: B62422BEAD1E4245BB84DEC9A3CC9D07	PDF
ALCOHOL INFLUENCE REPORT Attachment#: B9DE88B5CA77434BB1787E08A7B7E6BA	PDF
E-TICKETS Attachment#: C615A73624A64465B9ED37AD840E8DB7	PDF
DRINKING DRIVING QUESTIONNAIRE Attachment#: DE201345E1A84A8B9B768F5D87DE8DB8	PDF
POTENTIAL LIABILITY FORM Attachment#: E3C53413C08742568E6C1EC4E13CEDA1	PDF
COMPLAINT SUMMONS Attachment#: F4D0D5327CB042558FF1C0E18118BAC4	PDF

I, Officer Mergner, was alerted by Officer Grohowski to a motorist possibly needing assistance on Barton Ave near Cedar St. Upon arrival, Officer Grohowski informed me that he observed a vehicle, NJ:J45JUV, parked on Barton Ave with it's door open and the driver sitting in the driver seat. Officer Grohowski advised me that the vehicle had been in this position long enough for him to pass it and return without the driver exiting.

I, along with Officer Grohowski, then approached the vehicle. As I got closer, I could see exhaust coming out of the tailpipe indicating that the vehicle was running. I then observed what appeared to be vomit on the pavement near the open driver side door. I then approached the driver, later identified as Francisco Ferreiro-Sarduy, who was awake in the driver seat. At this time, I observed vomit on the Francisco's clothing as well as the floor of the vehicle. I asked Francisco if he was ok and he replied that he was "really really fucked up." I asked Francisco to clarify and he repeated that he was "fucked up." I asked Francisco if he was sick or intoxicated and he replied he was both sick and intoxicated. While speaking with Francisco, I could detect an odor of an alcoholic beverage emanating from his breath. Additionally, Francisco's eyes were blood shot and watery and his speech was slurred.

I asked Francisco where he was coming from and he replied a bar. Francisco was unable to identify the bar in question. Officer Rossi then requested that Francisco turn his vehicle off to which he complied. I then asked Francisco what he had to drink tonight and he replied "a lot of beer and drinks." I then asked Francisco how he ended up stopped on the side of the road and he replied that he didn't want to drive anymore. I then asked Francisco to exit the vehicle in order to perform Standardized Field Sobriety Tests.

Francisco then exited the vehicle and immediately stumbled forward. Francisco was then directed to the rear of his vehicle. While walking to the location, Francisco had difficulty walking and standing. I then went to move my patrol vehicle to ensure the Standardized Field Sobriety Tests would be captured on my MVR camera. During this time, Officer Rossi attempted to perform Horizontal Gaze Nystagmus (HGN) testing on Francisco. Upon my return to the scene, I heard Officer Rossi again asking if Francisco would submit to taking the Field Sobriety Tests. Francisco declined. At this time, Francisco was placed under arrest for Driving While Intoxicated (39:4-50).

I then placed Francisco in handcuffs utilizing the double locking technique. Francisco was then lead to my marked patrol car. Francisco was then searched incident to arrest. While searching Francisco, he continued to have difficulty standing. Francisco's property was then removed from his pockets and placed on the floor of my patrol vehicle. Francisco was then placed in the rear of my patrol vehicle. Francisco's seat belt was secured and he was advised that he would be audio and video recorded while in the patrol vehicle. Francisco was then transported to Police Headquarters. Officer Rossi remained with the vehicle awaiting the impound per John's Law. Sleepy Hollow Exxon later responded and impounded the vehicle.

Once back at Police Headquarters, Francisco was searched again before being secured to the bench. Francisco was advised of his Miranda Rights at 0034hrs. Francisco then appeared as if he was going to vomit again so Sgt Miller provided him with a garbage can. While in Police Headquarters, Francisco vomited multiple times. During this time, Officer Grohowski arrived with several items recovered by Officer Rossi while searching the vehicle for proof of insurance and registration. The items were all recovered from the center console of the vehicle. The items are:

1. Three Newport Cigarette packages each containing a green leafy substance believed to be marijuana
2. One syringe containing approximately .70ML of an unknown yellow liquid
3. One syringe containing approximately .75ML of an unknown yellow liquid and a label stating: Blueberry Kush Indica THC=89% @ Decentandwhite
4. One plastic vial with a label stating Frankie's Fried Ice Cream containing a rolled cigarette type item with a green leafy substance on it
5. One plastic vial with a label stating Moon Rock Pre-Roll Vanilla Mango 60%-65% THC containing the residue of a green leafy substance
6. One plastic vial with a label stating Gorilla Scout 1 Gram Premium Cannabis Dipped in Exotic Sauce Finest Kief Crust containing the residue of a green leafy substance

Francisco was then read his Operating Under the Influence (OUI) Rights. Francisco refused to provide an answer and kept stating he needed time to think about it and that he was not saying yes or no yet. Francisco then wanted clarification so I re-read him his OUI Rights. Francisco continued to be uncooperative but ultimately stated "Yes I will" in reference to him giving breath samples. A 20 minute observation period was started but had to be stopped due to vomiting. The 20 minute observation was then restarted.

During this time, I attempted to complete a Drinking Driver Questionnaire. When Francisco was asked if he was sick he replied, "Suck it." When Francisco was asked if he was under the care of a Doctor he replied "Anytime you want." When Francisco was asked if he takes any medications he replied "Suck it." When Francisco was asked if he had Diabetes he replied "Suck it." When Francisco was asked if he is injured he replied "Suck it." When Francisco was asked if those injuries are affecting him now he replied "Yes, you're injuring me." I then asked for clarification on how I was injuring him and he just stated "Hurting me." It should be noted I was approximately 10 feet away from Francisco during this questioning.

I then re-read Francisco his Miranda Rights at 0053hrs. Francisco originally refused to answer any additional questions. Francisco eventually advised me that he had beer this evening but could not provide me any additional information on when, how many, or where. Francisco remained uncooperative while attempting to complete the questionnaire as well as the Last Drink form. At one point, Francisco began yelling statements such as "Help" and "Murder" as well as banging on the glass window near him.

Francisco was then questioned to whether or not he had a Medical Marijuana card to which he replied "I wish." After the 20 minute observation period was completed, Officer Grohowski attempted to have Francisco provide breath samples utilizing the Alcotest 7110 MK-IIIC. After failing to properly complete the first attempt, a breath sample was successfully received on the second attempt. Francisco was then informed that one more breath sample would need to be taken at which time he refused. Francisco began stating that I could "Jerk him off." Francisco then continued to state that either myself, or Officer Grohowski, should "Jerk him off." Francisco continued with these statements for several minutes. Francisco was advised that this would be considered a refusal and he acknowledged saying that we would figure it out in court. The test was then ended and a reading of .12% was received for the one breath sample that was properly completed.

I then advised Francisco that I would need to finger print and photograph him. Francisco remained incredibly uncooperative during this process. Francisco became verbally aggressive to myself, as well as Officer Grohowski and Officer Rossi, on numerous occasions. Francisco's finger prints and photographs were eventually completed. Francisco was then placed in Cell #3. Officer Rossi attempted to complete a Suicide

Evaluation Form but Francisco refused to cooperate and answer the questions. Francisco was then provided an opportunity for us to contact an individual who would be willing to complete the Potential Liability Form for him to be released. Francisco refused to cooperate.

At approximately 0600hrs, Francisco awoke in the cell. Francisco advised me that he did not recall the events from the previous evening and apologized for his behavior. Francisco advised me that he had previously been at the Idle Hour Bar and Grill and was surprised that he attempted to drive. Francisco was then provided an opportunity to call his wife, Yonaira Ferreiro, who later responded to Police Headquarters. Yonaira later responded and Officer MacIver completed a Potential Liability Warning Form with her. Francisco was then released to Yonaira.

Francisco was charged with 2C:35-10A(4) on Complaint Summons 1524-S-2019-000024 for the suspected marijuana. Francisco was issued summonses E19-000146 for 39:4-50, E19-000147 for 39:4-50.4A, E19-000148 for 39:4-96, E19-000149 for 39:4-97, and E19-000150 for 39:4-49.1. The Complaint Summons, as well as the Title 39 Summonses, have a court date of 03/04/2019 at 1615hrs at the Point Pleasant Municipal Court.

PO Mergner #0815

On 2-17-19 at 0006 hours, I, Officer Grohowski, was traveling south, in my patrol vehicle, on Barton Ave. I passed a dark colored pickup truck that was on the west side of the road. The vehicle's lights were on and the engine was on. As I passed it, I observed the driver's door open. I looked in and observed a person sitting in the driver's seat. I continued traveling south, but kept watching the vehicle in my rear view mirror. I thought someone may be parking their vehicle and was going to get out and go in their house. I did not observe anyone get out of the vehicle. I continued to watch and still did not see anyone get out. I turned around to drive by it again. When I passed it, I observed a male in the driver's seat, leaning out towards the road. I requested another Officer respond to my location. I pulled behind the vehicle and radioed in the license plate, NJ:J45JUV. The driver stepped on the brakes, which was observed by the brake lights coming on.

Officer Mergner arrived, closely followed by Officer Rossi. We approached the driver's side of the vehicle and observed vomit on the ground, next to the driver's door. We also observed vomit in the vehicle, leaking out the driver's door. The male in the driver's seat had vomit on him. When he observed us, he said that he is fucked up.

Reference Officer Mergner's Arrest Narrative for the full narrative.

P.O. Grohowski #0149

COMPLAINT - SUMMONS

COMPLAINT NUMBER
1524 S 2019 000024

COURT CODE: PREFIX: YEAR: SEQUENCE NO.
POINT PLEASANT BORO MUN CT
P.O. BOX 25
PT PLEASANT NJ 08742-0000
COUNTY OF: OCEAN

of CHARGES: **1** CO-DEFTS: POLICE CASE #: **19-3607**
COMPLAINANT NAME: **MATTHEW G MERGNER**
2233 BRIDGE AVE
ATTN WARRANTS
POINT PLEASANT NJ 08742

THE STATE OF NEW JERSEY
VS.
FRANCISCO A FERREIRO-SARDUY
ADDRESS: **5206APT18 BERGENLINE AVE**
WEST NEW YORK NJ 07093-0000
DEFENDANT INFORMATION
SEX: M EYE COLOR: HAZEL DOB: 04/19/1972
DRIVER'S LIC. #: DL STATE: NJ
SOCIAL SECURITY #: SBI #: **()**
TELEPHONE #: **()**
LIVSCAN PON #: **152401004198**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 02/17/2019 in **POINT PLEASANT BORO OCEAN County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE OR A CONTROLLED DANGEROUS SUBSTANCE ANALOG THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY BY POSSESSING INSIDE OF THREE NEWPORT CIGARETTE BOXES A GREEN LEAFY SUBSTANCE SUSPECT MARIJUANA UNDER FIFTY GRAMS.

In violation of:

Original Charge	1) 2C:35-10A(4)	2)	3)
Amended Charge			

CERTIFICATION:

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

Signed: **MATTHEW G MERGNER** Date: **02/17/2019**

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Municipal Court In the county of: **OCEAN**
at the following address: **POINT PLEASANT BORO MUN CT**
P.O. BOX 25 2233 BRIDGE AVE PT PLEASANT NJ 08742-0000

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

Date of Arrest: **02/17/2019** Appearance Date: **03/04/2019** Time: **04:00PM** Phone: **()**

Signature of Person Issuing Summons: **MATTHEW G MERGNER** Date: **02/17/2019**

☐ Domestic Violence - Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

ORIGINAL

CourtID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1836
1524	E19	000146	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 03/31/2021 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

FRANCISCO A FERREIRO-SARDY Telephone: [REDACTED] Weight: [REDACTED]
6208 BERGENLINE AVE APT 18 Birth Date: 04/19/1972 Height: 511
WEST NEW YORK, NJ 07093 Eyes: HAZEL Restrictions: D 1
Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: J45JUV Vehicle Make: CHEVROLET Year: 2008
Color: BLACK Body Type: WAGON
Plate State: NJ Exp Date: 02/2020
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS

Date of Offense: 02/17/2019 Time: 12:06 AM

☒ Breathalyzer

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: Municipality County Mun Code (Offense)
BARTON AVE POINT OCEAN 1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/17/2019

MATTHEW G MERGNER

0815

Date

Electronic Signature

Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019

Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEB SITE AT WWW.NJMVC.GOV.

PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

CourtID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1836
1524	E19	000147	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 03/31/2021 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

FRANCISCO A FERREIRO-SARDY Telephone: [REDACTED] Weight: [REDACTED]
5208 BERGENLINE AVE APT 18 Birth Date: 04/19/1972 Height: 511
WEST NEW YORK, NJ 07093 Eyes: HAZEL Restrictions: D 1
Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: J45JUV Vehicle Make: CHEVROLET Year: 2008
Color: BLACK Body Type: WAGON
Plate State: NJ Exp Date: 02/2020
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50.4A - REFUSAL TO SUBMIT TO CHEMICAL TEST, PENALTIES

Date of Offense: 02/17/2019 Time: 12:06 AM

☒ Breathalyzer

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: Municipality County Mun Code (Offense)
BARTON AVE POINT OCEAN 1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/17/2019

MATTHEW G MERGNER

0815

Date

Electronic Signature

Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019

Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID 1524	Prefix E19	Ticket Number 000148	POINT PLEASANT BORO MUN CT PO BOX 25 / 2333 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 03/31/2021 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

FRANCISCO A FERREIRO-SARDUY Telephone: [REDACTED] Weight:
5206 BERGENLINE AVE APT 18 Birth Date: 04/19/1972 Height: 511
Eyes: HAZEL Restrictions: D 1
WEST NEW YORK, NJ 07093 Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: **J45JUV**
Vehicle Make: CHEVROLET Year: 2008
Color: BLACK Body Type: WAGON
Plate State: NJ Exp Date: 02/2020
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-96 - RECKLESS DRIVING

Date of Offense: 02/17/2019 Time: 12:06 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location BARTON AVE	Municipality POINT	County OCEAN	Mun Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/17/2019	MATTHEW G MERGNER	0815
Date	Electronic Signature	Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID 1524	Prefix E19	Ticket Number 000149	POINT PLEASANT BORO MUN CT PO BOX 25 / 2333 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 03/31/2021 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

FRANCISCO A FERREIRO-SARDUY Telephone: [REDACTED] Weight:
5206 BERGENLINE AVE APT 18 Birth Date: 04/19/1972 Height: 511
Eyes: HAZEL Restrictions: D 1
WEST NEW YORK, NJ 07093 Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: **J45JUV**
Vehicle Make: CHEVROLET Year: 2008
Color: BLACK Body Type: WAGON
Plate State: NJ Exp Date: 02/2020
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-97 - CARELESS DRIVING: LIKELY TO ENDANGER PERSON OR PROPERTY

Date of Offense: 02/17/2019 Time: 12:06 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location BARTON AVE	Municipality POINT	County OCEAN	Mun Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/17/2019	MATTHEW G MERGNER	0815
Date	Electronic Signature	Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

CourtID 1524	Prefix E19	Ticket Number 000150	POINT PLEASANT BORO MUN CT PO BOX 2512233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 666-1636
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 03/31/2021 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

FRANCISCO A FERREIRO-SARDUY Telephone: Weight:
6208 BERGENLINE AVE APT 18 Birth Date: 04/10/1972 Height: 511
Eyes: HAZEL
WEST NEW YORK, NJ 07083 Sex: MALE Restrictions: D 1

DID UNLAWFULLY OPERATE A

License Plate No J45JUV	Vehicle Make: CHEVROLET Year: 2006 Color: BLACK Body Type: WAGON Plate State: NJ Exp Date: 02/2020
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☐ Commercial Vehicle ☐ Onibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-49.1 - OPERATION OF MOTOR VEHICLE WHILE IN POSSESSION/NARCOTIC

Date of Offense: 02/17/2019 Time: 12:06 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location BARTON AVE	Municipality POINT	County OCEAN	Mun. Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/17/2019	MATTHEW G MERGNER	0816
Date	Electronic Signature	Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS



Point Pleasant Police Department
Arrest Report

Page: 1
03/06/2019

Arrest #: 19-53-AR
Call #: 19-3861

Date/Time Reported: 02/20/2019 @ 0158
Arrest Date/Time: 02/20/2019 @ 0209
Booking Date/Time: 02/20/2019 @ 0230

Court: Point Pleasant Municipal Ct
Court Date: 03/04/2019 @ 1000
Reporting Officer: OFFICER Joshua Gunnell
Approving Officer: Sergeant Edward Miller

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	KEATING, JAIME L. 117 ALBERT ST BRICK TOWNSHIP NJ 08724	F	W	36	*****	*****

Military Active Duty: N
HEIGHT: 501 WEIGHT: 130 HAIR: NOT AVAIL. EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: ***** PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: ***** ETHNICITY: NOT HISPANIC
LOCAL ID: [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

OCCUPATION: REFUSED TO ANS

#	OFFENSE (S)	ATTEMPTED	TYPE
	LOCATION TYPE: Restaurant/Cafeteria Zone: Zone B GRAZIANO'S RESTAURANT 3119 RT 88 POINT PLEASANT NJ 08742		
1	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/20/2019	N	Violation
2	IMPLIED CONSENT, REFUSAL TO SUBMIT TO BREATH TESTS 39:4 50.2 OCCURRED: 02/20/2019	N	Violation
3	RECKLESS DRIVING 39:4 96 OCCURRED: 02/20/2019	N	Violation

**Point Pleasant Police Department
Arrest Report**

Page: 2
03/06/2019

**Arrest #: 19-53-AR
Call #: 19-3861**

#	OFFENSE(S)	ATTEMPTED	TYPE
4	TRAFFIC ON MARKED LANES 39:4 88 OCCURRED: 02/20/2019 FINE: 78.00	N	Violation

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	SCHEUFLE, KARL P 117 ALBERT ST BRICK TOWNSHIP NJ 08724 DOB: ***** EMPLOYER: REFUSED . *****	PARTICIPANT	M	W	48	*****	*****
2	POWER, THOMAS A 1043 INDIAN HILL RD TOMS RIVER NJ 08753 DOB: *****	OTHER	M	W	50	NOT AVAIL	*****

#	VEHICLE(S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	LS STATUS: Impounded OWNER: KEATING, JAIME L. VIN: 1LNHM87A04Y666248 TOWED TO: Tow By Us BAY AVE POINT PLEASANT NJ 08742 TOWED BY: Tow By Us	2004	LINC	4D	GRY		NJ J50GXH	
							DATE: 02/20/2019	
							TOWING CHARGES:	

Attachments for 19-53-AR

Description	Type
ALCOHOL INFLUENCE REPORT	PDF
Attachment#: 01F846494F0A443B9E88C68D1F8F8928	
E-TICKETS	PDF
Attachment#: 0EE7FB3DAE794AFAAD1E784D248D2812	
OFFICER ALCOTEST CERT	PDF
Attachment#: 2E174BFF7585494687D99F296A0EB1CF	
MIRANDA	PDF
Attachment#: 3948E1EE34B3489E9BC59F0E28195968	
NJ ATTORNEY GENERAL STANDARD STATEMENT	PDF
Attachment#: 46A16B0C33204595A759BF5937DC84AF	
LAST DRINK LOCATION REPORT	PDF
Attachment#: 4EFC3141461545CFB45194417E8320B3	
MVR VIDEO REQUEST	PDF
Attachment#: C0F9C7E95FE24134B759E81CCEF8DB94	
DRINKING DRIVING REPORT	PDF
Attachment#: C245D7CA5DDE4765B963C4332F4E9933	
POTENTIAL LIABILITY FORM	PDF
Attachment#: C705E7C8E9E5435EA74FE7F8C304E9CB	
DRINKING DRIVER QUESTIONNAIRE	PDF
Attachment#: FFF6FA9A67AB4869AA0BAAACF048EB62	

On 02/20/2019 at 0158 hours I, P.O. Gunnell was parked in the parking lot of Solveri Collision(2300 Rt 88). I observed a vehicle going Westbound on Rt 88 that was traveling with the driver side tires on the center line of the road. I entered the roadway and began to follow the vehicle(NJ Registration J50GXH). The vehicle continued West. The suspect was unable to maintain proper lane control and swerved to the left. Near the intersection of Rt 88 and Barton Ave, the vehicle's driver side tires drove over the center lane. The driver did this again near the intersection of Sunset Ave and Hardenburgh Ave. Near the intersection of Hardenburgh Ave, I activated my emergency warning lights. The vehicle did not appear to slow or recognize my presence. I used my siren and the suspect eventually slowly pulled into the parking lot of Grazianos Restaurant(3119 Rt 88).

I approached the vehicle and made contact with the driver, identified as Jaime Keating. I asked her for her license, registration and proof of insurance. Once I made that request, Jaime stood still and did not reply. Her passenger, Karl Scheufler was replying and attempting to obtain the credentials. I again asked for her license and she replied that she just had a baby. While speaking with Jaime, I was able to smell an odor of an alcoholic beverage coming from the vehicle. Her voice was slow and she appeared to be having difficulty completing a sentence. I asked where they were coming from and she replied that they were at the Shore House(2114 Rt 88). When asked how many drinks she had that evening, Jaime replied "too much", 5 drinks.

P.O. Mergner arrived on scene. I asked Jaime to perform a test while she remained in the vehicle. I asked Jaime if she was able to understand and recite the English Alphabet. Jaime would not reply and I again asked if she understood the alphabet and she stated that she did. I asked her to recite the alphabet from the letter "D" to the letter "R". When asked if she understood, Jaime just stared straight ahead and appeared confused. I again explained the test several times until she asked if she should sing it. I advised her to not sing and to only recite the alphabet from the mentioned letters. After explaining again, Jaime began by singing and starting with "A" and ending with "S". I asked Jaime to exit the vehicle.

As Jaime exited the vehicle she was unsteady on her feet and appeared to be having difficulty maintaining balance. I advised Jaime that she would be performing field sobriety tests. I first conducted the HGN test. I turned off my vehicle's emergency lights. I had to explain the test several times to Jaime before she was able to correctly perform it. Prior to performing the test, Jaime, stated "I'm going to fail" I was able to get positive hits in both eyes for lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation and onset of nystagmus prior to 45 degrees. While doing this test, I was able to smell an odor of an alcoholic beverage coming from Jaime's breath.

The next test was the walk and turn. I advised Jaime to stand with her right foot in front of her left foot while I demonstrated the test. Jaime replied that she did not know her left and right. When asked if she could tell the difference, she said she knew what her left was. Jaime was briefly able to stand in that position before losing balance. While I was explaining the test, Jaime continued to lose balance and was unable to stand up straight. After explaining the test, Jaime advised that she did not understand. I again explained the test and she began. Jaime took 5 steps forward and stopped the test. Jaime was unable to touch heel to toe on any step and lost balance on her fourth step.

The next test was the one leg stand. I explained and demonstrated the test and Jaime asked "what do you mean". I again explained the test and Jaime stated that she understood. Jaime began the test and immediately put both her hands up for balance. Jaime was only able to get to the count of one before dropping her right foot.

Based on Jaime's operation of her vehicle and my observations with Jaime and her performance on the sobriety tests, I placed her under arrest for Driving While Intoxicated(DWI). She was handcuffed using the double lock method. Jaime was placed in the rear of my patrol vehicle and secured using the seat belt. She was advised that she was audio and video recorded while in the rear of the vehicle. Dispatch was made aware of the arrest and a duty tow was requested. They advised that Tow By Us would be responding. P.O. Mergner stayed with the vehicle and Karl until the tow responded. PO Mergner advised that Karl left on foot advising that he was going to walk home.

Jaime was transported to Headquarters where she was placed in the processing room. All portable electronic devices were brought out of the room. I read Jaime her Miranda Warning rights. When asked if she understood, she refused to answer. Jaime was read the NJ Attorney General Standard Statement for Motor Vehicle Operators form. When asked if she was willing to supply a breath sample in order to obtain her blood alcohol concentration, Jaime replied "no". I attempted to ask questions on the drinking driver questionnaire and Jaime refused to answer any questions.

All information was entered into the Alcotest 7100 MKIII-C and when prompted for a breath sample, a refusal was entered. When Jaime was offered a phone call, she reached out to her brother who advised that he would find a ride for her but was unsure how long the ride would take to respond. P.O. Mergner stayed in the processing room while I issued the summons E19-000170 39:4-50, E19-000 39:4-50.2, E19-000172 39:4-96, E19-000173 39:4-88. All summons were given a court date of 03/04/2019 at 1600 hours. When I responded back to the processing room, I advised Jaime that she needed to be placed in the cell while we wait for her ride. I asked Jaime to take off her ear rings. She stated that they were garbage and took one off and threw it on the ground. It was silver in color and told me to throw it in the garbage. I advised her that I was not responsible for that property and she left it on the ground. Prior to placing Jaime in the cell, Thomas Power arrived in order to pick her up.

I gave Thomas the Potential Liability form for which he refused to sign. Thomas was able to supply a proper identification and did not appear to be under the influence. Thomas took Jaime into his custody and she left Headquarters.

Last drink form was faxed

Request to save the mvr video was requested

P.O. Joshua Gunnell#0249

Court ID 1524	Prefix E19	Ticket Number 000170	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1636
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2020 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAIME L KEATING
117 ALBERT ST
BRICK, NJ 08724
Telephone:
Birth Date: 11/15/1982
Eyes: BROWN
Sex: FEMALE
Weight:
Height: 501
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No
J50GXH
Vehicle Make: LINCOLN
Color: GREY
Plate State: NJ
Year: 2004
Body Type: 4 DOOR
Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS

Date of Offense: 02/20/2019 Time: 02:59 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: RT 88 Municipality: POINT County: OCEAN Mun. Code (Offense): 1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019 PTL J GUNNELL 0249
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes: Citation #: 1524 E19 000170
19-3861

Court ID 1524	Prefix E19	Ticket Number 000171	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1636
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Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2020 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAIME L KEATING
117 ALBERT ST
BRICK, NJ 08724
Telephone:
Birth Date: 11/15/1982
Eyes: BROWN
Sex: FEMALE
Weight:
Height: 501
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No
J50GXH
Vehicle Make: LINCOLN
Color: GREY
Plate State: NJ
Year: 2004
Body Type: 4 DOOR
Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50.2 - CONSENT TO TAKE SAMPLES OF BREATH, RECORD

Date of Offense: 02/20/2019 Time: 02:59 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: RT 88 Municipality: POINT County: OCEAN Mun. Code (Offense): 1524

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02/20/2019 PTL J GUNNELL 0249
Date Electronic Signature Officer ID

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes: Citation #: 1524 E19 000171
19-3861

Court ID 1524	Prefix E19	Ticket Number 000172	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2020 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAIME L KEATING
117 ALBERT ST
BRICK, NJ 08724
Telephone: [REDACTED]
Birth Date: 11/15/1982
Eyes: BROWN
Sex: FEMALE
Weight: [REDACTED]
Height: 501
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No
J50GXH
Vehicle Make: LINCOLN Year: 2004
Color: GREY Body Type: 4 DOOR
Plate State: NJ Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-88 - RECKLESS DRIVING

Date of Offense: 02/20/2019 Time: 02:59 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location RT 88	Municipality POINT	County OCEAN	Mun. Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019 Date	PTL J GUNNELL Electronic Signature	0249 Officer ID
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:
www.njmcdirect.com

NOTICE

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes: Citation #: 1524 E19 000172
19-3861

Court ID 1524	Prefix E19	Ticket Number 000173	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2020 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAIME L KEATING
117 ALBERT ST
BRICK, NJ 08724
Telephone: [REDACTED]
Birth Date: 11/15/1982
Eyes: BROWN
Sex: FEMALE
Weight: [REDACTED]
Height: 501
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No
J50GXH
Vehicle Make: LINCOLN Year: 2004
Color: GREY Body Type: 4 DOOR
Plate State: NJ Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-88 - TRAFFIC ON MARKED LANES

Date of Offense: 02/20/2019 Time: 02:59 AM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location RT 88	Municipality POINT	County OCEAN	Mun. Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019 Date	PTL J GUNNELL Electronic Signature	0249 Officer ID
--------------------	---------------------------------------	--------------------

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Officer Notes: Citation #: 1524 E19 000173
19-3861



Point Pleasant Police Department
Arrest Report

Page: 1
03/13/2019

Arrest #: 19-54-AR
Call #: 19-3938

Date/Time Reported: 02/20/2019 @ 1651
Arrest Date/Time: 02/20/2019 @ 1705
Booking Date/Time: 02/20/2019 @ 1730

Court: Point Pleasant Municipal Ct
Court Date: 02/20/2019 @ 1705
Reporting Officer: OFFICER Mark Maloney
Assisting Officer: OFFICER Travis Popiel
Approving Officer: Lieutenant David Radsniak

Signature: _____
Released To: Ocean County Jail
Released: 02/20/2019 @ 2113

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	MASTROBUONO, JAMES JOHN 721 ALBERT E CLIFTON AVE POINT PLEASANT NJ 08742	M	W	28	*****	*****

Military Active Duty: N

HEIGHT: 600

WEIGHT: 165

HAIR: BROWN

EYES: HAZEL

BODY: NOT AVAIL.

COMPLEXION: FAIR

DOB: *****

PLACE OF BIRTH: LIVINGSTON NJ

STATE ID: [REDACTED]

FBI ID: [REDACTED]

LICENSE NUMBER: *****

ETHNICITY: NOT HISPANIC

LOCAL ID: [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT ARM(GRIFFIN ON ARM), TAT R HND(STICK SHIFT ON RIGHT HAND)

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
MASTROBUONO	JAMES	JOHN	NOT AVAIL	*****
MASTROBINO	JAMES		NOT AVAIL	NOT AVAIL
MASTURBUONO	JAMES		NOT AVAIL	NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: PATTERSON, KIMBERLY

OCCUPATION: UNEMPLOYED

Point Pleasant Police Department
Arrest Report

Page: 2
03/13/2019

Arrest #: 19-54-AR
Call #: 19-3938

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: Sergeant Christopher G Leonhardt DATE/TIME: 02/20/2019 @ 1700
PHONE USED: N
ARRESTEE SECURED: Y 02/20/2019 1750
ARRESTEE CELL #: 3

FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Service/Gas Station Zone: Zone A
VILLAGE AUTOMOTIVE
900 ARNOLD AVE
POINT PLEASANT NJ 08742

1	POSSESS CDS OR ANALOG 2C:35 10A1 OCCURRED: 02/20/2019 1651 CRIMINAL ACTIVITY: Possessing/Concealing	N	Indictable
2	POSS W/INTENT TO USE/SELL HYPO NEEDLE 2C:36 6A OCCURRED: 02/20/2019 1651 CRIMINAL ACTIVITY: Possessing/Concealing	N	Non Indictable
3	OPERATING MOTOR VEHICLE DURING PERIOD OF LICENSE S 2C:40 26A OCCURRED: 02/20/2019 1651	N	Indictable
4	CARELESS DRIVING 39:4 97 OCCURRED: 02/20/2019 1651 REFER TO CITATION#: E19-000175 FINE: 78.00	N	Violation
5	RECKLESS DRIVING 39:4 96 OCCURRED: 02/20/2019 1651 REFER TO CITATION#: E19-000176	N	Violation
6	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/20/2019 1651 REFER TO CITATION#: E19-000177	N	Violation
7	OPERATING M.V. IN POSSESSION ON CDS 39:4 49.1 OCCURRED: 02/20/2019 1651 REFER TO CITATION#: E19-000178	N	Violation

Point Pleasant Police Department
Arrest Report

Page: 3
03/13/2019

Arrest #: 19-54-AR
Call #: 19-3938

#	OFFENSE(S)	ATTEMPTED	TYPE
8	OPERATING AFTER D.L. OR REGISTRATION SUSPENDED 39:3 40 OCCURRED: 02/20/2019 1651 REFER TO CITATION#: E19-000179	N	Violation
9	USE/INFLUENCE CDS 2C:35 10B OCCURRED: 02/20/2019 1651 CRIMINAL ACTIVITY: Possessing/Concealing	N	Non Indictable

#	VEHICLE(S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	EXP STATUS: Impounded OWNER: MASTROBUONO, JAMES JOHN VIN: 1FMZU72KX3UC43293 TOWED TO: Tow By Us BAY AVE POINT PLEASANT NJ 08742 TOWED BY: Tow By Us	2003	FORD	AP	GRN		NJ W80JHX	DATE: 02/21/2019
				TOWING CHARGES:				

#	DRUG(S)	PROPERTY #	STATUS
1	BLOCK PARTY WAX FOLDS QUANTITY: 1.000 (Not Available at This Time) VALUE: \$4.00 OWNER: MASTROBUONO, JAMES JOHN		Impounded DATE: 02/21/2019
2	SYRINGE QUANTITY: 1.000 (Not Available at This Time) VALUE: \$1.00 OWNER: MASTROBUONO, JAMES JOHN		Impounded DATE: 02/21/2019
3	HEROIN QUANTITY: 1.000 (Not Available at This Time) VALUE: OWNER: MASTROBUONO, JAMES JOHN		Suspected DATE: 02/21/2019

NARRATIVE FOR OFFICER MARK C MALONEY

Ref: 19-54-AR

Entered: 02/21/2019 @ 1846

Entry ID: 0810

Modified: 03/12/2019 @ 2038

Modified ID: 0810

Approved: 03/12/2019 @ 2115

Approval ID: 0140

On 02-20-19 at 1651 hrs, I, PO Maloney, responded with PO Johnson, PO Popiel, and Sgt. Leonhardt to 900 Arnold Ave for a report of a male subject slumped over behind the steering wheel of a vehicle with his foot on the gas pedal. Upon arrival, I observed a green Ford Explorer with a NJ: W80JHX registration facing south in the parking lot. When I exited my marked patrol vehicle, I heard the engine of the vehicle accelerating which would happen when someone places their foot on the gas pedal. I also observed a male subject later identified as James Mastrobuono, slumped over behind the steering wheel of the vehicle. When I approached the driver side door, I observed James slumped over with a Syringe ejecting from his right forearm. I then immediately opened the driver side door and grabbed James's legs to remove his foot from the pedal. While doing so, James awoke and appeared disoriented. While James was waking up, I turned the key to shut the ignition off. While doing this, James took the syringe out of his right forearm and tried to hide it. I then asked James if he needed any immediate medical attention to which he replied no.

I then told James to step out of the vehicle. Due to James having a syringe, PO Johnson placed James in handcuffs for his and our safety. I then advised James that I observed the syringe sticking out of his right forearm and asked him where he put it. James admitted to placing the syringe into his right pants pocket. PO Johnson then searched the pocket and found a syringe that appeared to have been just used. Sgt. Leonhardt then advised James of his Miranda rights and James replied that he understood. James was then asked if there was anything else in the vehicle. James told me that he had an open bottle of whiskey as well as some items in the center console. It should be noted that I have dealt with James in the past regarding his narcotics use and he had lied to me. Due to this, PO Popiel utilized his K-9 counterpart, Juno, to conduct an open air sniff of the vehicle for narcotics. Juno had a positive indication for narcotics in the vehicle. See PO Popiel's supplemental report for his findings. It was also known that James had a suspended driver license, so I questioned him on how the vehicle ended up in the parking lot with him behind the steering wheel. James told me a friend named Mike drove the vehicle to the parking lot with him in the passenger seat. He then said Mike left the area and he walked over to get into the driver side to turn the heat on because it was cold and snowing. It should be noted that it was snowing for several hours that day and the ground was covered. It should also be noted that there were no footprints on the passenger side of the car nor were there any footprints of someone walking away from the vehicle like James said Mike did. Furthermore, as stated above the vehicle was running, and the gear was also in neutral. James was then advised that he was under arrest for driving under the influence as well as for possessing narcotics. He was then placed in the back of my patrol vehicle while myself and the other officers searched the vehicle.

The search of the vehicle resulted in one open bottle of Fireball whiskey found in the center console as well as four wax folds with the label "Block Party" on them. It should be noted that wax folds are commonly used to contain heroin. Three of the wax folds were found in a cup holder located in the center console. One wax fold was found in the rear passenger seat.

At Police Headquarters, James was read the Standard Statement for Motor Vehicle Operators to which he replied "yes." James had a blood alcohol content of .05%. See Lt. Radsniak supplemental report for his findings. PO Grohowski, who is a drug recognition expert then took James through a series of tests. See his DRE report for his findings.

James was charged with 2C:35-10A1 possessing a controlled dangerous substance, 2C:36-6a possessing a hypodermic syringe, 2C:40-26a operating a vehicle during while having a suspended license for driving under the influence, 2C:35-10b under the influence of a narcotic, 39:4-97 careless driving, 39:4-96 reckless driving,

NARRATIVE FOR OFFICER MARK C MALONEY

Ref: 19-54-AR

Entered: 02/21/2019 @ 1846	Entry ID: 0810
Modified: 03/12/2019 @ 2038	Modified ID: 0810
Approved: 03/12/2019 @ 2115	Approval ID: 0140

39:4-50 driving under the influence, 39:4-49.1 possessing CDS in a motor vehicle, 39:3-40 driving while suspended. James was then given a copy of his complaint summons # (1524-W-2019-000025). I then transported James down to Ocean County Jail.

All evidence was entered into BEAST.

PO Maloney # 0810

SUPPLEMENTAL K9 NARRATIVE FOR OFFICER TRAVIS POPIEL

Ref: 19-54-AR

Entered: 03/09/2019 @ 2022	Entry ID: 0256
Modified: 03/09/2019 @ 2045	Modified ID: 0256
Approved: 03/12/2019 @ 2115	Approval ID: 0140

On 2/20/2019, I, P.O. Travis Popiel, was contacted by Police Headquarters and requested to respond to Arnold Ave near Trenton ave for a sniff of a vehicle for the presence of narcotics with my K9 partner, Juno (2yo male German Shepherd).

On location, Sgt. Leonhardt advised me that a male was located within the vehicle in possession of a hypodermic needle. Juno was removed from the patrol vehicle and escorted to the area of the suspect vehicle. Juno was provided the command to begin his sniff of the vehicle for the presence of narcotics. On the first pass of the driver's door, Juno presented a behavioral change at the door. The observed behavioral change was noted to be a head spin sharply in the direction of the door jam and pushing his nose into the door jam while taking a deep breath.

Following the noted behavioral change, Juno then provided a positive indication for the presence of narcotics at the driver's door. Juno's positive indication for the presence of narcotics was observed to be barking and scratching at the driver's door. Following the positive indication, the door to the vehicle was opened and Juno entered the vehicle. Juno then was observed to provided an additional positive indication at the center console of the vehicle.

Sgt. Leonhardt was advised of the indications made by Juno. A search of the vehicle was conducted as a result where narcotics were recovered. Following the arrest, I remained on location awaiting the arrival of Tow By Us who took possession of the vehicle.

P.O. Travis Popiel 0256

SUPPLEMENTAL NARRATIVE FOR LIEUTENANT DAVID L RADSNIAK

Ref: 19-54-AR

Entered: 03/12/2019 @ 1630	Entry ID: 0140
Modified: 03/12/2019 @ 1638	Modified ID: 0140
Approved: 03/12/2019 @ 2115	Approval ID: 0140

I administered the Alcotest to James Mastrobuono in this case. Upon entering the Booking Area, James was secured to the prisoner bench. James agreed to provide breath samples after being read the Standard Statement for Motor Vehicle Operators. I completed the 20 minute observation period and ensured all portable electronic devices were removed from the room. At the conclusion of the observation period I administered the Alcotest in which I read the directions for each test and changed the mouthpiece after each test. The result of the Alcotest was a .05% BAC. The results were entered into the NJSP Alcotest Calculator and found to be within the acceptable tolerance. Based on the signs of intoxication James was exhibiting along with the evidence of CDS use upon PO Maloney's arrival, I requested PO Grohowski, a Certified Drug Recognition Expert (DRE) to conduct a DRE Exam.

Lt. David Radsniak

COMPLAINT - WARRANT

COMPLAINT NUMBER

1524**W****2019****000025**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

POINT PLEASANT BORO MUN CT**P.O. BOX 25****PT PLEASANT****NJ 08742-0000**COUNTY OF: **OCEAN**# of CHARGES
4

CO-DEFTS

POLICE CASE #:
19-3938COMPLAINANT **MARK C MALONEY**
NAME:**2233 BRIDGE AVE****ATTN WARRANTS****POINT PLEASANT****NJ 08742****THE STATE OF NEW JERSEY****VS.****JAMES J MASTROBUONO**

ADDRESS:

721 ALBERT E CLIFTON AVE**POINT PLEASANT****NJ 08742-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **GREEN**DOB: **12/24/1990**

DRIVER'S LIC. #:

SOCIAL SECURITY #:

SBI #:

DL STATE: **NJ**

TELEPHONE #:

(C)LIVSCAN PCN #: **152401004203**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **02/20/2019** in **POINT PLEASANT BORO**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE OR A CONTROLLED DANGEROUS SUBSTANCE ANALOG THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY POSSESSING FOUR WAX FOLDS LABELED "BLOCK PARTY" LOCATED IN THE CENTER CONSOLE CUP HOLDER OF NJ REGISTRATION W80JHX WHICH HE WAS OPERATING.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY POSSESS WITH INTENT TO USE CDS, A HYPODERMIC SYRINGE, SPECIFICALLY BY HAVING THE SYRINGE INJECTED IN HIS RIGHT FOREARM WHILE DEFENDANT WAS PASSED OUT BEHIND THE STEERING WHEEL OF NJ REGISTRATION W80JHX.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OPERATE A MOTOR VEHICLE DURING A PERIOD OF LICENSE SUSPENSION FOR A VIOLATION OF 39:4-50 AFTER BEING FOUND

in violation of:

Original Charge

1) **2C:35-10A(1)**2) **2C:36-6A**3) **2C:40-26A**

Amended Charge

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

Signed:

MARK C MALONEYDate: **02/20/2019**

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **OCEAN** at the following address: **OCEAN SUPERIOR COURT**

100 HOOPER AVEDate of Arrest: **02/20/2019** Appearance Date:

Time:

TOMS RIVER**NJ 08753-0000**

Phone:

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT☐ Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

☒ Probable cause **IS** found for the issuance of this complaint. **TRACEY MCCRYSTAL JUDICIAL OFFICER** **02/20/2019**

Signature and Title of Judicial Officer Issuing Warrant

Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: by:

(If different from judicial officer that issued warrant)

☐ Domestic Violence -- Confidential☒ Related Traffic Tickets
or Other Complaints☐ Serious Personal Injury/ Death
Involved**Special conditions of release:**☐ No phone, mail or other personal contact w/victim☐ No possession firearms/weapons☐ Other (specify):**ORIGINAL**

COMPLAINT - WARRANT

COMPLAINT NUMBER

1524**W****2019****000025**

STATE V.

JAMES J MASTROBUONO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

GUILTY OF A VIOLATION OF 39:3-40 DURING THE ORIGINAL SUSPENSION PERIOD, SPECIFICALLY BY OPERATING NJ REGISTRATION W80JHX AFTER A LICENSE SUSPENSION FOR 39:4-50 ON 02/09/2017 AND BEING CHARGED WITH A 39:3-40 VIOLATION ON 07/01/2017 AND CONVICTED ON 03/20/2018.

WITHIN THE JURISDICTION OF THIS COURT, USE OR BE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE OR CONTROLLED DANGEROUS SUBSTANCE ANALOG FOR A PURPOSE OTHER THAN TREATMENT OR SICKNESS OR INJURY AS PRESCRIBED OR ADMINISTERED BY A PHYSICIAN, SPECIFICALLY BY USING A HYPODERMIC SYRINGE TO INJECT A SUBSTANCE SUSPECTED OF BEING HEROIN WHILE OPERATING NJ REGISTRATION W80JHX AND THEN DISPLAYING SIGNS OF IMPAIRMENT DUE TO OPIATES WHICH WAS ANALYZED BY PO GROHOWSKI, A CERTIFIED DRUG RECOGNITION EXAMINER.

Original Charge

4) 2C:35-10B

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

Court ID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT P.O. Box 257 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
1524	E19	000175	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT ON THE PAY BY DATE TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. IF YOU PLEAD GUILTY AND PAY THE PENALTY AMOUNT OF \$85.00 BEFORE THE SCHEDULED PAY BY DATE OF 03/06/2019, YOU DO NOT NEED TO APPEAR IN COURT (SEE INSTRUCTIONS BELOW).

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2019 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAMES J MASTROBUONO 3RD
290 GREENWOOD LOOP RD
BRICK, NJ 08724
Telephone: [REDACTED]
Birth Date: 12/24/1990
Eyes: HAZEL
Sex: MALE
Weight: [REDACTED]
Height: 600
Restrictions: 10

DID UNLAWFULLY OPERATE A

License Plate No: W80JHX
Vehicle Make: FORD
Color: GREEN
Plate State: NJ
Year: 2003
Body Type: WAGON
Exp Date: 10/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

19:4-97 - CARELESS DRIVING: LIKELY TO ENDANGER PERSON OR PROPERTY

Date of Offense: 02/20/2019 Time: 07:08 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location	Municipality	County	Mun. Code (Offense)
ARNOLD AVE	POINT	OCEAN	1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019	MARK C MALONEY	0810
Date	Electronic Signature	Officer ID

GUILTY PLEA AND PAYMENT. If you wish to plead guilty and pay the penalty, you may make payment via the internet by logging onto www.njmcdirect.com or you may bring or mail this ticket and payment in the amount of the penalty listed above to this court before the scheduled pay by date. Payments by mail must be by check or money order made payable to this Municipal Court. Do not send cash. Please print the ticket number on the front of the check or money order. A receipt will be sent to you only if you send a self-addressed, stamped envelope along with your payment.

PLEA OF NOT GUILTY. If you want to plead not guilty, you must notify the court at least 7 days before your scheduled pay by date or it may be necessary for you to make additional court appearances.

Amount of Penalty: \$85.00 Pay By Date: 03/06/2019

MAKE PAYMENT VIA THE INTERNET OR FOR MORE INFORMATION, LOGON TO:
www.njmcdirect.com

YOU NEITHER PAY THE PRESCRIBED PENALTY BY THE PAY BY DATE NOR APPEAR IN COURT ON THE SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR OR PAY THE PRESCRIBED PENALTY WILL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEB SITE AT WWW.NJMVC.GOV.

PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT P.O. Box 257 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
1524	E19	000176	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2019 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAMES J MASTROBUONO 3RD
290 GREENWOOD LOOP RD
BRICK, NJ 08724
Telephone: [REDACTED]
Birth Date: 12/24/1990
Eyes: HAZEL
Sex: MALE
Weight: [REDACTED]
Height: 600
Restrictions: 10

DID UNLAWFULLY OPERATE A

License Plate No: W80JHX
Vehicle Make: FORD
Color: GREEN
Plate State: NJ
Year: 2003
Body Type: WAGON
Exp Date: 10/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-96 - RECKLESS DRIVING

Date of Offense: 02/20/2019 Time: 07:08 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location	Municipality	County	Mun. Code (Offense)
ARNOLD AVE	POINT	OCEAN	1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019	MARK C MALONEY	0810
Date	Electronic Signature	Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019

Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT PO BOX 287 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1636
1524	E19	000177	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2019 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAMES J MASTROBUONO 3RD Telephone: Birth Date: 12/24/1990 Weight: Height: 600
290 GREENWOOD LOOP RD Eyes: HAZEL Restrictions: 0
BRICK, NJ 08724 Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: W80JHX
Vehicle Make: FORD Year: 2003
Color: GREEN Body Type: WAGON
Plate State: NJ Exp Date: 10/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS

Date of Offense: 02/20/2019 Time: 07:08 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: Municipality: County: Mun. Code (Offense):
ARNOLD AVE POINT OCEAN 1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019 MARK C MALONEY 0810
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID	Prefix	Ticket Number	POINT PLEASANT BORO MUN CT PO BOX 287 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1636
1524	E19	000178	

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 04/30/2019 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAMES J MASTROBUONO 3RD Telephone: Birth Date: 12/24/1990 Weight: Height: 600
290 GREENWOOD LOOP RD Eyes: HAZEL Restrictions: 0
BRICK, NJ 08724 Sex: MALE

DID UNLAWFULLY OPERATE A

License Plate No: W80JHX
Vehicle Make: FORD Year: 2003
Color: GREEN Body Type: WAGON
Plate State: NJ Exp Date: 10/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-49.1 - OPERATION OF MOTOR VEHICLE WHILE IN POSSESSION/NARCOTIC

Date of Offense: 02/20/2019 Time: 07:08 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 85 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: Municipality: County: Mun. Code (Offense):
ARNOLD AVE POINT OCEAN 1524

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/20/2019 MARK C MALONEY 0810
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID 1524	Prefix E19	Ticket Number 000179	POINT PLEASANT BORO MUN CT POINT PLEASANT AVE POINT PLEASANT, NJ 08742 TELEPHONE (732) 899-1836
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED]
Expiration Date: 04/30/2019
D/L State: NJ
☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

JAMES J MASTROBUONO 3RD
290 GREENWOOD LOOP RD
BRICK, NJ 08724
Telephone:
Birth Date: 12/24/1990
Eyes: HAZEL
Sex: MALE
Weight:
Height: 600
Restrictions: 10

DID UNLAWFULLY OPERATE A

License Plate No
W80JHX
Vehicle Make: FORD
Color: GREEN
Plate State: NJ
Year: 2003
Body Type: WAGON
Exp Date: 10/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:3-40 - DRIVING AFTER DL/REGISTRATION SUSPENDED/REVOKED

Date of Offense: 02/20/2019 Time: 07:08 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location ARNOLD AVE	Municipality POINT	County OCEAN	Mun. Code (Offense) 1524
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I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

Date 02/20/2019	Electronic Signature MARK C MALONEY	Officer ID 0810
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS



Point Pleasant Police Department
Arrest Report

Page: 1
03/08/2019

Arrest #: 19-52-AR
Call #: 19-3835

Date/Time Reported: 02/19/2019 @ 1658
Arrest Date/Time: 02/19/2019 @ 1726
Booking Date/Time: 02/19/2019 @ 1745

Court: Point Pleasant Municipal Ct
Court Date: 03/04/2019 @ 1615
Reporting Officer: OFFICER Robert Tobias
Assisting Officer: Sergeant Robert Wells
Approving Officer: Lieutenant David Radsniak

Signature: _____
Released: 02/19/2019 @ 2051

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	PENSABENE, DEBORAH M. 22 PARIS DR BRICK NJ 08723-1803	F	W	49	*****	*****

Military Active Duty: N
HEIGHT: 500 WEIGHT: 117 HAIR: BROWN EYES: BROWN
BODY: SKINNY COMPLEXION: NOT AVAIL.
DOB: ***** PLACE OF BIRTH: US
LICENSE NUMBER: ***** ETHNICITY: NOT HISPANIC
LOCAL ID: [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT BACK(), TAT ANKL(LT ANKLE TATTOO), TAT L FOOT(), TAT R FOOT()

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED
SPOUSE'S NAME: PENSABENE, ORAZIO
OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: OFFICER Robert J Tobias DATE/TIME: 02/19/2019 @ 1745
PHONE USED: Y PHONED DATE/TIME: 02/19/2019 @ 1950
ARRESTEE SECURED: N

FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Not Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

**Point Pleasant Police Department
Arrest Report**

Page: 2
03/08/2019

**Arrest #: 19-52-AR
Call #: 19-3835**

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Other/Unknown SPIRIT'S UNLIMITED 3200 BRIDGE AVE Point Pleasant NJ 08742	Zone: Zone B	
1	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/19/2019 1658 REFER TO CITATION#: E19-000164 SUSPECTED OF USING: Alcohol	N	Violation
2	RECKLESS DRIVING 39:4 96 OCCURRED: 02/19/2019 1658 REFER TO CITATION#: E19-000165 SUSPECTED OF USING: Alcohol	N	Violation

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	SICA, DAVID 176 DORADO BEACH CT HOWELL NJ 07731 DOB: *****	REPORTING PARTY	M	W	37	NOT AVAIL	*****
	EMPLOYER: SPIRITS UNLIMITED EMPLOYE	*****					
2	NEMIROFF, SUSAN E 260 SKY MANOR BLVD BRICK NJ 08723-6873 DOB: *****	OTHER	F	W	44	*****	*****
	EMPLOYER: JERSEY SHORE WELLNESS	*****					
3	PENSABENE, ORAZIO 22 PARIS DR BRICK NJ 08723-1803 DOB: *****	OTHER	M	W	54	*****	*****
4	HIGGINS, SHAUNA 42 LYNN DR TOMS RIVER NJ 08753 DOB: *****	WITNESS	F	W	52	NOT AVAIL	*****
	EMPLOYER: JERSEY SHORE WELLNESS	*****					

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	50ML BOTTLE OF NEW AMSTERDAM VODKA QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/19/2019 OWNER: PENSABENE, DEBORAH M.	VALUE: \$0.99	Seized (Not Previously Stolen)
2	RECEIPT FROM SPIRIT'S UNLIMITED QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/19/2019 OWNER: PENSABENE, DEBORAH M.	VALUE: \$0.00	Seized (Not Previously Stolen)

Point Pleasant Police Department
Arrest Report

Page: 3
03/08/2019

Arrest #: 19-52-AR
Call #: 19-3835

#	OTHER PROPERTIES	PROPERTY #	STATUS
3	CD-ROM CONTAINING VIDEO SURVEILLANCE QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/26/2019 OWNER: SICA, DAVID	VALUE:	Held for Safe Keeping

ADDITIONAL ASSISTING OFFICERS

Lieutenant David Radsniak

OFFICER Ryan Grohowski

On 2/19/19 at 1658 hours I, P.O. Tobias, responded to 3200 Bridge Avenue, Spirits Unlimited, for a report of an intoxicated female occupying a white sedan in the front parking lot. The incident was reported by David Sica, who is a Spirits Unlimited employee. I arrived on scene and observed a white Audi A5 sedan, NJ T68KHY, parked in front of the Spirits Unlimited. The MVR in my patrol vehicle was activated. I exited my patrol vehicle and approached the Audi from the driver's side. I observed a white female, later identified as Deborah Pensabene, sitting in the driver's seat of the vehicle. There were no other occupants inside the vehicle.

I stood next to the driver's side door for a short period of time. I heard a female voice talking to Deborah over the bluetooth system saying, "Stay with me, are you ok?". Deborah's head was slouched forward. She was not talking or moving. I knocked on the window, then opened the door and announced myself. Deborah lifted her head and looked at me. It appeared as if she just woke up. I advised Deborah to turn off the ignition and exit the vehicle. Deborah pressed the ignition button in the vehicle and the engine turned on. At this point, I had realized the engine was already turned off when I arrived. Deborah turned off the ignition and I advised her to exit the vehicle, to which she complied.

I noticed there was bodily fluid on the front of her shirt, which appeared to be either a small amount of vomit or drool. Sergeant Wells arrived on scene. Deborah said that prior to Spirits Unlimited she was at the Department of Motor Vehicle and prior to that, she was home. I noticed Deborah's speech was slow and slurred. I also noticed that her eyelids were droopy. While speaking with Deborah, I observed a female, later identified as Susan Nemiroff, standing on the sidewalk. I asked Susan if she needed help. Susan said she was a friend of Deborah's.

Sergeant Wells spoke with Susan to obtain more information. Susan told Sergeant Wells that her friend Shauna called her and requested to check on Deborah's [REDACTED]. Susan told Sergeant Wells that Deborah is a former co-worker and lost her job today. Shauna told Susan that Deborah was intoxicated. Also, Deborah was scared to go home to her husband. As a result of the information Susan received from Shauna, she quickly responded to the Spirits Unlimited from Jersey Shore Wellness to check on Deborah's [REDACTED].

I asked Deborah to walk to the passenger side of the vehicle so she could access her driver's license in her purse, which was located on the passenger seat. Deborah's movements were slow and she stumbled when walking past the rear of the vehicle. Deborah removed her wallet from her purse. During this time, I observed a small unopened bottle of vodka on the driver's seat. Deborah turned around towards me, then stumbled to the right. I had to grab Deborah with my hands so she did not fall onto the ground. I told Deborah that I had reason to believe she was under the influence of alcohol and/or drugs. Deborah stated, "I have been drinking and I won't drive". Deborah said she was waiting for someone to pick her up. Deborah later stated that she drank "two shooters" prior to arriving at Spirits Unlimited (a "shooter" is also known as a "shot" or small serving of liquor). Deborah said after she arrived at Spirits Unlimited, she consumed one more shooter. Deborah subsequently changed her story and said she was at the Department of Motor Vehicle earlier in the day. She had the two shooters with her, but did not drink them. Deborah said she arrived at Spirits Unlimited and purchased a third shooter, then drank them in her vehicle. Deborah said she was not under the influence of anything else other than alcohol. Deborah proceeded to start crying, then told me she used to work with Susan Nemiroff, but just lost her job.

After Sergeant Wells finished speaking with Susan, he walked inside Spirits Unlimited to speak with employee David Sica. David advised Sergeant Wells that one of his sale representatives entered the store earlier and was concerned about a female sitting in a vehicle in front of the store. David walked outside and observed

Deborah talking on the phone inside her vehicle. David walked back inside the store to finish with a customer. David told Sergeant Wells that after he finished with the customer, he walked back outside and Deborah was still inside her vehicle. David approached the vehicle and asked Deborah if she was ok. David stated Deborah would not look up at him. David became concerned and told Deborah to turn off the vehicle because the engine was still running and he did not want her driving away. David Sica provided Sergeant Wells with a duplicate copy of Deborah's purchase receipt. The receipt proved that on 2/19/19 at 1608 hours, Deborah purchased three 50ml New Amsterdam Coconut Vodka shooters, using her debit card ending in [REDACTED]

Because of Deborah's conflicting statements, I asked her to explain her day to me one more time. Deborah said she left the Department of Motor Vehicle then responded to Jersey Shore Wellness at approximately 1430 hours to give them her keys to the office, because she had been terminated from her position. After she left Jersey Shore Wellness, Deborah drove to her chiropractor on Arnold Avenue for an appointment. Next, Deborah drove to Spirits Unlimited. I asked Deborah if she possessed alcoholic beverages in her vehicle prior to arriving at Spirit's Unlimited, she replied, "Yes". Deborah said when she arrived at Spirits Unlimited, she purchased more shooters, then drank two of them in her vehicle. Deborah said she did not drink any alcoholic beverages today while operating her vehicle.

I advised Deborah that I was going to have her perform multiple field sobriety tests. I escorted Deborah to a painted blue line located in the parking lot next to her vehicle. I advised Deborah that I would first explain the tests, then demonstrate them for her. I asked Deborah if she was suffering from an injury or medical issue, she replied, "No". I asked Deborah if she was under the care of a physician for medication. She replied, [REDACTED]
[REDACTED]
[REDACTED]

One-Leg Stand Test. I advised Deborah that I was going to explain the test and not to begin until instructed to do so. I instructed Deborah to stand with her feet together and her arms down along her sides. I explained to Deborah that she must lift the foot of her choice approximately six inches off the ground and keep her foot parallel to the ground. I also explained that she must keep her arms down along her sides and count 1001, 1002, 1003, 1004 and so on until instructed to stop. I demonstrated the test for Deborah.

During this process, Deborah began the test without being instructed to do so. She was unable to maintain her position while I explained the test. Deborah stumbled to her right on three separate occasions. When I finished demonstrating the test, Deborah stated, "I can't do it", therefore, I terminated the test.

Horizontal Gaze Nystagmus. I advised Deborah to remove her eyeglasses. I asked Deborah if she had problems with her eyes. Deborah said she was near-sighted. I advised Deborah that I was going to have her perform a vision test and I needed her to follow the green tip of my pen with her eyes, while keeping her head still. While performing the test, Deborah was unable to keep her head still. Her eyelids were blinking repeatedly and she kept looking away from me. As a result, I was unable to get an accurate reading and terminated the test.

Based upon my investigation, Deborah was placed under arrest for 39:4-50, Driving While Intoxicated. I handcuffed Deborah utilizing the double-lock technique. After Deborah was placed under arrest, myself and Sergeant Wells searched for the two empty shooter bottles in her vehicle, but were unable to locate them. At one point, Deborah stated that she disposed of them in the garbage can when "walking in" to Spirits Unlimited. While searching the vehicle, Sergeant Wells did locate the original copy of the purchase receipt. I escorted

Deborah to my patrol vehicle. She sat in the rear seat and I secured her with a seatbelt. I advised Deborah she was being audio and video recorded. I transported Deborah to Police Headquarters, along with her property, the unopened New Amsterdam shooter bottle, and the purchase receipt.

Tow-By-Us duty tow responded to the scene to satisfy the New Jersey Attorney General guideline, requiring a twelve-hour minimum impoundment of Deborah's vehicle.

I arrived at Police Headquarters and parked in the sallyport. I secured my firearm in a lockbox. I escorted Deborah into the booking area. I removed all portable electronic devices from the booking room. I read Deborah her Miranda Warning. Deborah stated she understood her right's. Next, I read a NJ Standard Statement form. When I asked Deborah if she would provide breath samples, she replied, "Yes". I completed a Property Receipt form. During the twenty-minute observation, I attempted to complete a Drinking Driver Questionnaire, however, Deborah gave sarcastic responses and refused to answer the majority of the questions. After the twenty minute observation, I administered the Alco-Test. During this time, I did smell an odor of an alcoholic beverage emanating from Deborah's breath. Deborah did not provide an adequate sample on her first attempt. As Deborah walked back to the bench, I heard a loud noise. I looked in Deborah's direction and she was laying face down on the floor. I assisted Deborah to her feet. Deborah said she slipped off the bench when she sat down, then fell onto her knees. Deborah denied first aid assistance. At this point, I operated the Alco-Test machine. When the Alco-Test process was complete, the machine displayed "Control Test Failure". Dispatch called Bayhead Police Department who advised their Alco-Test was operational. Deborah was secured with a handcuff belt, utilizing the double-lock technique. I placed Deborah in the rear seat of my patrol vehicle, secured with a seatbelt. I advised Deborah she was being audio and video recorded.

I transported Deborah to Bayhead Police Department and entered their booking room, with the assistance of P.O. Krauss. Deborah remained secured with the handcuff belt. I removed all portable electronic devices from the booking area. After completing the twenty-minute observation period was completed, I operated the Alco-Test. The results showed Deborah's BAC (Blood Alcohol Content) was 0.14%. The results were verified using the New Jersey State Police Alco-Test calculator. I escorted Deborah into the rear seat of my patrol vehicle, secured with a seatbelt. I advised Deborah she was being audio and video recorded.

I transported Deborah back to Point Pleasant Police Headquarters. I fingerprinted and photographed Deborah. Per Deborah's request, I called her husband, Orazio Pensabene, who agreed to drive her home. I printed the following summonses:

- E19-000164 39:4-50 Driving While Intoxicated
- E19-000165 39:4-96 Reckless Driving

Both summonses were court mandatory on 3/4/19 at 1615 hours. I served both of the above summonses to Deborah and advised her of the mandatory court date. I returned Deborah's property and gave her a copy of the Property Receipt. I escorted Deborah to the lobby of Police Headquarters, where I met with her husband, Orazio Pensabene. Orazio signed a Potential Liability Warning form, agreeing to take responsibility for Deborah. I gave Orazio the original copy of the form. I also gave Orazio the information to Tow-By-Us duty tow. Deborah was subsequently released into the custody of her husband. As Deborah walked out of the building, she kicked the doors and began shouting profanity. I did not observe damage to the doors.

After Deborah was released, I made contact with Susan Nemiroff to get her statement. Susan stated that she works for Jersey Shore Wellness and Deborah was a former employee. Susan stated Deborah was fired earlier today from her position at Jersey Shore Wellness. Susan received a call from Shauna Higgins, who said she received text messages from Deborah that did not make sense. Susan said that Shauna assumed Deborah may be intoxicated. Susan also told me that Deborah sent Shauna text messages stating she was "[REDACTED]". As a result, Susan responded to Spirits Unlimited to check on Deborah's "[REDACTED]". I asked Susan if Deborah contacted her earlier in the evening for a ride home because she was intoxicated. Susan replied, "No".

It should be noted, during the course of the investigation, Deborah did admit "[REDACTED]" as a result of losing her job. I also asked Deborah "[REDACTED]". She replied, "Absolutely not".

After speaking with Susan, I contacted Monmouth Medical Center Southern Campus Behavioral Health unit and requested they respond to Deborah's residence for a "[REDACTED]". Next, I contacted Brick Township Police Department and requested they respond to Deborah's residence "[REDACTED]" as a result of the information provided by Susan that "[REDACTED]". I also advised Brick Township P.D. that a "[REDACTED]" was already en route. Prior to the end of my shift, it was confirmed that Deborah "[REDACTED]".

I entered the unopened bottle of New Amsterdam Vodka and original copy of purchase receipt into the BEAST evidence database. Detective Michelle Hill was notified.

On 2/24/19, I made contact with Shauna Higgins and received her statement. Shauna said she works at Jersey Shore Wellness, where Deborah was a former employee. Shauna said Deborah was terminated from her position on 2/19/19. On that same day, Shauna received a text message from Deborah stating, "I hope your day ends well". Shauna became concerned and called Deborah. Shauna said Deborah's speech was slurred. Deborah told Shauna that she was in the parking lot of Spirits Unlimited. Shauna said Deborah sounded like she was going in and out of consciousness. Deborah told Shauna that "[REDACTED]". Deborah also told Shauna that her husband was going to kill her. Shauna became concerned that Deborah "[REDACTED]" therefore, she called Susan and asked her to respond to Spirits Unlimited to check on "[REDACTED]". I asked Shauna if Deborah called or texted her at any point asking for a ride home because she was intoxicated. Shauna replied, "No".

On 2/25/19, I responded to Spirits Unlimited where I met with David Sica, who provided me with a copy of the video surveillance, which shows Deborah purchase the liquor inside the store. At Police Headquarters, I entered the video surveillance into the BEAST evidence database.

Sergeant Wells was advised of my findings.

Court ID 1524	Prefix E19	Ticket Number 000164	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 03/04/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
Expiration Date: 06/27/2023 ☐ Commercial License

THE UNDERSIGNED CERTIFIES THAT

DEBORAH PENSABENE
22 PARIS DR
BRICK, NJ 08723
Telephone: [REDACTED]
Birth Date: 06/27/1969
Eyes: BROWN
Sex: FEMALE
Weight: 117
Height: 5'0"
Restrictions: D 0

DID UNLAWFULLY OPERATE A

License Plate No: **T68KHY**
Vehicle Make: AUDI Year: 2015
Color: WHITE Body Type: CONVERTIBLE
Plate State: NJ Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS

Date of Offense: 02/19/2019 Time: 08:04 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: **3200 BRIDGE AVE** Municipality: **POINT** County: **OCEAN** Mun. Code (Offense): **1524**

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/19/2019 **ROBERT TOBIAS** 0136
Date Electronic Signature Officer ID

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 03/04/2019 Court Time: 4:15 PM

FOR MORE INFORMATION, LOGON TO:

www.njmcdirect.com

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) AT ISSUED YOUR LICENSE.

IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEB SITE AT WWW.NJMVC.GOV.

PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS

Court ID 1524	Prefix E19	Ticket Number 000165	POINT PLEASANT BORO MUN CT PO BOX 25 / 2233 BRIDGE AVE PT PLEASANT, NJ 08742 TELEPHONE (732) 899-1838
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Drivers License No: [REDACTED] D/L State: NJ
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THE UNDERSIGNED CERTIFIES THAT

DEBORAH PENSABENE
22 PARIS DR
BRICK, NJ 08723
Telephone: [REDACTED]
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DID UNLAWFULLY OPERATE A

License Plate No: **T68KHY**
Vehicle Make: AUDI Year: 2015
Color: WHITE Body Type: CONVERTIBLE
Plate State: NJ Exp Date: 08/2019
☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-96 - RECKLESS DRIVING

Date of Offense: 02/19/2019 Time: 08:04 PM

Other Offense Information

☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury
☐ Death/Serious Bodily Injury

Location: **3200 BRIDGE AVE** Municipality: **POINT** County: **OCEAN** Mun. Code (Offense): **1524**

I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.

02/19/2019 **ROBERT TOBIAS** 0136
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PLEASE NOTIFY COURT OF DISABILITY
ACCOMMODATION NEEDS



Point Pleasant Police Department
Arrest Report

Page: 1
03/07/2019

Arrest #: 19-58-AR
Call #: 19-4181

Date/Time Reported: 02/24/2019 @ 0130
Arrest Date/Time: 02/24/2019 @ 0140
Booking Date/Time: 02/24/2019 @ 0245

Court: Point Pleasant Municipal Ct
Court Date: 03/04/2019 @ 1600
Reporting Officer: Lieutenant David Radsniak
Assisting Officer: OFFICER Nicholas Rossi
Booking Officer: OFFICER Kevin Aurin
Approving Officer: CAPTAIN Robert Lokerson

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	HERNANDEZ, CAESAR L. 1313 9TH AVE NEPTUNE NJ 07753-5122	M	W	26	*****	*****

Military Active Duty: N

HEIGHT: 507

WEIGHT: 185

HAIR: BLACK

EYES: BROWN

BODY: NOT AVAIL.

COMPLEXION: NOT AVAIL.

DOB: *****

PLACE OF BIRTH: NOT AVAIL.

LICENSE NUMBER: *****

ETHNICITY: HISPANIC

[APPEARANCE]

GLASSES WORN: NO

[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: Lieutenant David L Radsniak
PHONE USED: N
ARRESTEE SECURED: N

DATE/TIME: 02/24/2019 @ 0237

FINGERPRINTED: Y

PHOTOGRAPHED: Y

SUICIDE CHECK: Not Performed

PERSONS: State&Federal

NCIC VEHICLE CHECK: Not Performed

INJURY OR ILLNESS: N

#	OFFENSE (S)	ATTEMPTED	TYPE
	LOCATION TYPE: School/College/University NELLIE BENNETT SCHOOL POINT PLEASANT NJ 08742		
1	OPERATING M.V. UNDER THE INFLUENCE 39:4 50 OCCURRED: 02/24/2019 0130 REFER TO CITATION#: 067276 SUSPECTED OF USING: Alcohol	N	Violation

Point Pleasant Police Department
Arrest Report

Page: 2
03/07/2019

Arrest #: 19-58-AR
Call #: 19-4181

#	OFFENSE(S)	ATTEMPTED	TYPE
---	------------	-----------	------

2	RECKLESS DRIVING	N	Violation
---	------------------	---	-----------

39:4 96

OCCURRED: 02/24/2019 0130

REFER TO CITATION#: 067277

SUSPECTED OF USING: Alcohol

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
---	-----------	-------------	-----	------	-----	-----	-------

1	VASQUEZ, RAMIRO 501 NEW JERSEY AVE POINT PLEASANT BEACH NJ 08742 DOB: *****	OTHER	M	W	61	*****	*****
---	--	-------	---	---	----	-------	-------

On 2/24/19 at 0130 hours a call was placed to this department reporting a possible intoxicated driver. The complainant reported the silver Nissan (NJ Registration W20JDF) was traveling east on Bridge Ave without headlights. The vehicle was last observed making a right on Rue Lido traveling south towards the Nellie Bennett Elementary School. At the time the call was being dispatched I was on Barnegate Blvd approaching the intersection of Rue Lido. I located the suspect vehicle stopped in a paved area of the Nellie Bennett School near the dumpsters and Boiler Room entrance with the brake lights illuminated. As I pulled behind the vehicle and activated my emergency lights the driver removed his foot from the brake and the vehicle began rolling back towards my patrol vehicle. I sounded the horn which caused the driver to place his foot on the brake and stop. I exited my patrol vehicle and approached the driver's door. The vehicle was running with three occupants inside. The headlights were off as the caller had indicated.

I knocked on the driver's window and identified myself. I then asked him to lower the window which he did. I asked him for his license, registration and insurance card which he was able to produce. The driver was identified as Caesar Hernandez by his NJ Drivers License. There was a strong odor of an alcoholic beverage emanating from the passenger compartment. I asked Hernandez where he was coming from to which he replied, "The club". I then asked Hernandez which club to which he responded, "I don't remember". Hernandez was asked to place the vehicle in park, turn the engine off and exit.

I continued to speak with Hernandez outside of his vehicle where I noticed his eyes were bloodshot and glassy. Hernandez was swaying from side to side as he attempted to maintain his balance. PO Aurin and PO Rossi were on scene at this time. I walked Hernandez to an area in front of PO Aurin's patrol vehicle and placed his Mobile Video Recorder (MVR) Microphone on my jacket. I asked Hernandez if he knew the English alphabet to which he replied, "A little bit". I did not have Hernandez perform this test due to the language barrier. Next I asked Hernandez if he was able to count to 100 to which he replied, "yes". I asked Hernandez to count backward from 30-13. Hernandez stated, "30,29,28,27,26,25,24,23,22,21,20,18,80,87,86,14,44".

I then demonstrated and explained the One Leg Stand Test to Hernandez. Hernandez was not able to stand in the instructional position. Hernandez began the test several times while I was demonstrating. After indicating that he understood the test, Hernandez was instructed to begin. Hernandez lifted his right leg and immediately placed his foot down as he lost his balance. Hernandez repeated this two more times with the same result. Hernandez lifted his right foot a fourth time and had his arms raised out away from his sides as he leaned for balance. Hernandez did not count out loud and was unable to complete the test.

I then demonstrated and explained the Walk and Turn Test to Hernandez. Hernandez was unable to stand in the instructional position. After repeated attempts to have Hernandez stand correctly, he began attempting the One Leg Stand test by lifting his left leg while I was explaining the Walk and Turn Test. After Hernandez indicated that he understood the test he was instructed to begin. Hernandez took three steps and turned around. Hernandez lost his balance while turning and then stood in place with his arms raised out away from his sides. At this point I placed Hernandez under arrest for Driving While Intoxicated. Hernandez was searched incident to arrest and placed into PO Aurin's patrol vehicle where he was advised that he was being audio and video recorded. PO Aurin transported Hernandez to Police Headquarters and PO Rossi waited for Tow By Us to impound the vehicle. The passengers were picked up while PO Rossi was present.

While inside the booking area at headquarters, I played the Spanish version of the NJ Attorney General's Standard Statement for Motor Vehicle Operators from the NJSP Website. Hernandez replied, "Si" after statement #9 was read. All cell phones, radios and MVR equipment was removed from the room. At the conclusion of the 20 minute observation period which I used my wrist watch to time, I administered the Alcotest to Hernandez. Hernandez provided two breath samples which recorded a .20% BAC. The results were entered into the NJSP Alcotest Calculator which indicated the results were within the acceptable tolerance.

Hernandez was charged with Driving While Intoxicated and Reckless Driving. Hernandez was released to

Ramiro Vazquez who completed the Spanish version of the Implied Consent Form.

Lt. David Radsniak

COURT I.D.	PREFIX	TICKET NUMBER	Point Pleasant Borough Municipal Court 2233 Bridge Avenue Point Pleasant, NJ 08742
1524	B	067276	
OFFICER'S COPY			
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:			
Driver's License Number			
EXP. DATE STATE ☐ Commercial License			
THE UNDERSIGNED CERTIFIES THAT			
Name First Initial Last (Please Print)			
Address			
City State Zip Code Telephone			
Birth Date Eyes Sex Weight Height Restrictions			
DID UNLAWFULLY (PARK) (OPERATE) A			
Make of Vehicle Year Body Type Color ☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Material ☐ Out of Service			
License Plate No. State Exp. Date			
Offense Date Month Day Year Time Hour AM PM			
LOCATION OF OFFENSE C O D E Describe Location			
Municipality County Mun. Code (Offense)			
Point Pleasant Borough Ocean 1 5 2 4			
AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)			
TRAFFIC OFFENSES - (CHECK ONE) - TITLE 39			
☐ 3-4 Unregistered vehicle ☐ 4-85 Improper passing ☐ 4-97 Careless driving ☐ 4-124 Failure to turn ☐ 4-144 Failure to stop or yield ☐ 8-1 Failure to inspect ☐ 8-4 Failure to make repairs			
☐ 3-29 Failure to exhibit documents ☐ D.L. or ☐ REG or ☐ INS ☐ 3-33 Unclear plates ☐ 3-66 Maintenance of lamps ☐ 3-76.2f Failure to wear seatbelt ☐ 4-81 Failure to observe signal ☐ 4-98 Speeding MPH in a MPH Zone			
IN EXCESS OF SPEED LIMIT BY:			
☐ 1-9MPH ☐ 10-14MPH ☐ 15-19MPH ☐ 20-24MPH ☐ 25-29MPH ☐ 30-34MPH ☐ 65MPH Zone ☐ Safe Corridor ☐ Construction Zone			
PENALTY SCHEDULE ON REVERSE			
PARKING OFFENSE			
☐ Overtime Meter No. ☐ Prohibited Area ☐ Double			
OTHER TRAFFIC/PARKING OFFENSE (Describe)			
Statute No. Ordinance/Code No.			
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			
Signature of Complaining Witness Officer's ID No.			
NOTICE TO APPEAR			
☐ COURT APPEARANCE REQUIRED ☐ COURT DATE Month Day Year Time Hour AM PM			
☐ 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 ☐ Speed Measurement Device ☐ EBTD			
Equipment Operator's Name Operator ID No. Unit Code			
OFFICER'S COPY UTT-1 (02/07)			

COURT I.D.	PREFIX	TICKET NUMBER	Point Pleasant Borough Municipal Court 2233 Bridge Avenue Point Pleasant, NJ 08742
1524	B	067277	
OFFICER'S COPY			
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:			
Driver's License Number			
EXP. DATE STATE ☐ Commercial License			
THE UNDERSIGNED CERTIFIES THAT			
Name First Initial Last (Please Print)			
Address			
City State Zip Code Telephone			
Birth Date Eyes Sex Weight Height Restrictions			
DID UNLAWFULLY (PARK) (OPERATE) A			
Make of Vehicle Year Body Type Color ☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Material ☐ Out of Service			
License Plate No. State Exp. Date			
Offense Date Month Day Year Time Hour AM PM			
LOCATION OF OFFENSE C O D E Describe Location			
Municipality County Mun. Code (Offense)			
Point Pleasant Borough Ocean 1 5 2 4			
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IN EXCESS OF SPEED LIMIT BY:			
☐ 1-9MPH ☐ 10-14MPH ☐ 15-19MPH ☐ 20-24MPH ☐ 25-29MPH ☐ 30-34MPH ☐ 65MPH Zone ☐ Safe Corridor ☐ Construction Zone			
PENALTY SCHEDULE ON REVERSE			
PARKING OFFENSE			
☐ Overtime Meter No. ☐ Prohibited Area ☐ Double			
OTHER TRAFFIC/PARKING OFFENSE (Describe)			
Statute No. Ordinance/Code No.			
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			
Signature of Complaining Witness Officer's ID No.			
NOTICE TO APPEAR			
☐ COURT APPEARANCE REQUIRED ☐ COURT DATE Month Day Year Time Hour AM PM			
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CONDITIONS AREA ☐ Business ☐ School ☐ Residential ☐ Rural ROAD ☐ Dry ☐ Wet ☐ Snow ☐ Ice TRAFFIC ☐ Light ☐ Medium ☐ Heavy VISIBILITY ☐ Clear ☐ Rain ☐ Snow ☐ Fog			
Equipment ☐ Helicopter ☐ Pace ☐ Speed Measurement Device ☐ EBTD			
Equipment Operator's Name Operator ID No. Unit Code			
OFFICER'S COPY UTT-1 (02/07)			