



Case Report Summary



Print Date/Time: 09/23/2019 11:14
Login ID: jsisco
Case Number: 2019-00049492

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00049492
Location: 1891 LANES MILL RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0261 - Wynn
Incident Type: CDS - Possession
Occurred From: 08/03/2019 14:06
Occurred Thru: 08/03/2019 14:35
Disposition:
Disposition Date:
Reported Date: 08/03/2019 14:06 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	Ketcham, Robert	[REDACTED]		White	Male	[REDACTED]
Suspect	1	Gwinnett, Steven Patrick	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

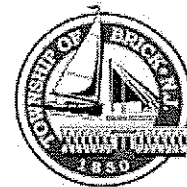
Arrest No.	Name	Address	Date/Time	Type	Age
51543 A	Gwinnett, Steven Patrick	LANES MILL RD / PRIMROSE LN BRICK TOWNSHIP, NJ 08724	08/03/2019 14:35	Probable Cause	

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/03/2019	Evidence / Seized	Drug Paraphenalia			Orange cylindrical tube and Zig Zag rolling papers	53050	1
08/03/2019	Evidence / Seized	Drugs			Suspect Marijuana (TO BE TESTED)	53049	1



Case Report Summary



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NJ0150600

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/03/2019 19:18	Type: Intake Code: Log In Tag Number: Remarks:	0261-Ryan Wynn	Officer	Brick Township Police	Other
08/05/2019 06:15	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0261-Ryan Wynn		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/03/2019 19:16	Type: Intake Code: Log In Tag Number: Remarks:	0261-Ryan Wynn	Officer	Brick Township Police	Other
08/05/2019 06:16	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0261-Ryan Wynn		SP170-Frank Scelfo	

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2016	BMW	328	Black	F77LBC	NJ

OfficerID: rwynn, Narrative

On 08/03/2019, while on patrol in the area of Lanes Mill Road, I observed a black BMW bearing New Jersey registration #F77LBC. The vehicle's driver and passenger windows were illegally tinted and the rear license plate was covered by a tinted license plate cover. I conducted a motor vehicle stop on the BMW in the area of Lanes Mill Road and Primrose Lane. I approached the vehicle on the passenger side and had the driver, later identified as Steven Gwinnett, lower all of the windows. As the windows lowered, I detected the odor of burnt marijuana emanating from the vehicle. I asked the driver for his driver's license, registration and insurance card and the front passenger, later identified as Robert Ketcham, for his driver's license. Gwinnett and Ketcham provided me with the requested documents.

Ptl. Firreno #283 arrived on scene to assist.

Ptl. Firreno stayed with Ketcham as I had Gwinnett exit the vehicle. I read Miranda Rights to Gwinnett and he stated he understood his rights and agreed to answer my questions. I told Gwinnett I smelled the odor of burnt marijuana coming from his vehicle and he replied, "Yeah, I have a medical marijuana card, do you want me to get it for you?" I asked Gwinnett if he had any marijuana in the vehicle that was prescribed to him and he replied, "Yes I do." Gwinnett stated it was a "little roach" and he retrieved the items from the vehicle while I was with him. Gwinnett handed me an orange cylindrical tube with the roach inside and also provided me his CUMMA card. He stated he knew the marijuana was not properly packaged and that the prescribed container was at his residence.

The Orange Container with the marijuana that Gwinnett possessed, did not have a prescription label identifying the name and address of the Alternate Treatment Center, the quantity of medical marijuana inside the container, the THC level of the medical marijuana, the date it was dispensed to Gwinnett and his name and medical marijuana ID number.

I provided dispatch Gwinnett and Ketcham's information and asked them to verify Gwinnett's CUMMA card. Dispatch confirmed that Gwinnett's CUMMA card was active and valid.

Ptl. Firreno had Ketcham exit the vehicle and I told Gwinnett to stand with Ptl. Firreno as I searched his vehicle. I located Zig Zag rolling papers in the center console which is also where Gwinnett retrieved the marijuana from.

Gwinnett was handcuffed using the double locking method and transported to Brick Headquarters to be processed. He was processed and released on summons # 1506 S 2019 000789. I placed the suspect marijuana and drug paraphernalia into property at Brick Headquarters.



Case Report Summary



Print Date/Time: 09/23/2019 11:42
Login ID: jsisco
Case Number: 2019-00050663

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00050663
Location: DRUM POINT RD / BRICK BLVD
Brick Township, NJ 08723
Reporting Officer ID: -

Incident Type: CDS - Possession
Occurred From: 08/08/2019 19:36
Occurred Thru: 08/08/2019 19:36
Disposition: Cleared by Arrest
Disposition Date: 08/09/2019
Reported Date: 08/08/2019 19:36 Thursday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	6300	39:3-4	Unregistered Vehicle	1
3	State	6300	39:3-29C	Failure to Exhibit Documents - Insurance	1
4	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Hickman, Kadin	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51565 A	Hickman, Kadin	320 BRICK BLVD BRICK TOWNSHIP, NJ 08723	08/08/2019 20:07	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/08/2019	Evidence / Seized	Drugs			Lynwood Lemonadevape cartridge (Test for CDS)	53095	1
08/08/2019	Evidence / Seized	Drugs			quantity of suspect marijuana (Test for CDS)	53094	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/09/2019 05:43	Type: Intake Code: Log In Tag Number: Remarks:	0230-Brian Farnkopf		SP170-Frank Scelfo	

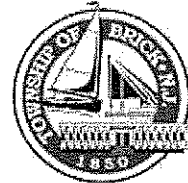
Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/09/2019 05:45	Type: Intake Code: Log In Tag Number: Remarks:	0230-Brian Farnkopf		SP170-Frank Scelfo	

Vehicles



Case Report Summary



Print Date/Time: 09/23/2019 11:42
Login ID: jsisco
Case Number: 2019-00050663

ORI Number: Brick Township Police Department
NJ0150600

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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Case Report

INVESTIGATION REPORT

CASE NUMBER: 50663-19

TITLE: Arrest of Kadin Hickman

ACTIVITY: Possession of a controlled dangerous substance

DATE OF REPORT: 08/08/19

SYNOPSIS:

This report will detail this writer's participation during the arrest of Kadin Hickman for the possession of a controlled dangerous substance (CDS), specifically marijuana.

DETAILS:

On 08/08/19, I was in plain clothes and operating an unmarked vehicle when the following events took place.

At approximately 1940 hours, I observed a white male, later identified as Kadin Hickman, operating a 2013 Chevy Malibu (NJ Registration L95KFJ) on Drum Point Rd (westbound). A license plate check of the Malibu revealed the vehicle was unregistered. Ptl. Miller #218 was nearby in a marked patrol vehicle, and was contacted to conduct a motor vehicle stop on the Malibu as it turned onto Brick Blvd (southbound).

Ptl. Miller conducted the motor vehicle stop on that vehicle in the parking lot of the Riviera Gardens Apartments on Brick Blvd. As I approached the motor vehicle stop, Ptl. Miller and Sgt. Olsen had Hickman exit the vehicle, and Ptl. Miller indicated there was the odor of marijuana inside the vehicle. When advised about the odor of marijuana, Hickman told Sgt. Olsen that he smokes marijuana inside the vehicle and there was a THC vape cartridge in the center console.

A search of the interior of the vehicle was conducted by Sgt. Olsen and I. At that time the odor of marijuana was still present. Sgt. Olsen retrieved the THC vape cartridge from inside the vehicle's center console. In addition, loose green vegetation, suspect marijuana, could be seen throughout the vehicle's carpeting and seats, as well as a quantity of loose suspect marijuana inside a tray to the left of the steering wheel. After searching the interior of the vehicle, I asked Hickman for consent to search the trunk and engine compartment of the vehicle. Hickman was explained the Consent to Search Form and advised of his right to refuse. Hickman consented to the search, which resulted in no additional contraband.

Hickman was placed under arrest and transported to Police Headquarters for booking and processing. After processing, Hickman was released on Summons # 1506-S-2019-804.

Hickman was issued a complaint summons for the following charges:

Two counts of 2C:35-10a(4), Possession of marijuana

Hickman was issued motor vehicle summonses for the following offenses:

39:4-49.1, CDS in a Motor Vehicle

39:3-4, Unregistered Vehicle

39:3-29, Failure to Exhibit Insurance

This report was completed by: Detective Brian Farnkopf #230 Brick DEU (Brick Police Case# 50663-19).



Case Report Summary



Print Date/Time: 09/23/2019 11:43
Login ID: jsisco
Case Number: 2019-00050871

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00050871
Location: CEDARBRIDGE AVE /
WEDGEWOOD DR
Brick Township, NJ 08723
Reporting Officer ID: 0276 - DeLuca

Incident Type: CDS - Possession
Occurred From: 08/09/2019 16:13
Occurred Thru: 08/09/2019 17:55
Disposition: Cleared by Arrest
Disposition Date: 08/09/2019
Reported Date: 08/09/2019 16:13 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1
3	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1
4	State	6300	39:3-40	Driver's License or Registration Suspended	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Willock, Christopher Charles	[REDACTED]	[REDACTED]	Black	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51568 A	Willock, Christopher Charles	RT 70 / CEDARBRIDGE AVE Brick Township, NJ 08723	08/09/2019 17:22	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/09/2019	Evidence / Seized	Drug Paraphenalia			several items of CDS paraphernalia	53099	1
08/09/2019	Evidence / Seized	Drugs			1 suspected marijuana cigarette *TO BE TESTED*	53098	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/12/2019 06:52	Type: Intake Code: Log In Tag Number: Remarks:	0276-Joseph DeLuca		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/12/2019 06:53	Type: Intake Code: Log In Tag Number: Remarks:	0276-Joseph DeLuca		SP170-Frank Scelfo	

Vehicles



Case Report Summary



Print Date/Time: 09/23/2019 11:43
Login ID: jsisco
Case Number: 2019-00050871

ORI Number: Brick Township Police Department
NJ0150600

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2005	NISSAN	Altima	Gray	HZU2560	NY

OfficerID: jdeluca, Narrative

On 08/19/2019 at approximately 1613 hours, a two car motor vehicle crash occurred in the area of Cedar Bridge Avenue and Wedgewood Drive. After the crash occurred, one of the vehicles involved, a 2005 Nissan Altima bearing NYREG#HZU2560, fled from the scene and continued to travel onto Route 70 west bound. The other vehicle involved in the crash, a 2018 Dodge Durango bearing NJREG#Y96JTS registered and operated by Yehuda Freundlich, followed the Nissan Altima onto Route 70 and then onto the Garden State Parkway where the vehicle came to a stop near the toll plaza. Mr. Freundlich blocked the vehicle in at the parking lot of the toll plaza and awaited police arrival. (reference my NJTR-1 under this case number)

While conducting on scene investigation at the toll plaza, I identified the operator of the Nissan Altima as Christopher Willock.

It should be noted while speaking with Mr. Willock I observed in the center console an orange prescription bottle and one empty package of "Raw" rolling papers, often used to ingest marijuana.

While continuing my investigation, I spoke to Mr. Freundlich who advised upon entering into the parking lot of the toll plaza, he observed Mr. Willock access the trunk compartment from the interior of his vehicle and place something in the trunk. He advised after doing so, Mr. Willock exited his vehicle and began to walk around the building of the toll plaza and back to the area of his vehicle.

As a result of my observations and Mr. Freundlich's statement a search was conducted of Mr. Willock's vehicle. A search of the vehicle lead to locating the following items in the passenger compartment of the vehicle, one defaced orange prescription bottle containing suspected marijuana residue, one glass jar containing marijuana residue. In the trunk of the vehicle lead to locating one digital scale commonly used to weigh marijuana, and in a black bag in the trunk of the vehicle was one package of Bob Marley rolling papers, one plastic container, one "grinder" commonly used to break apart marijuana prior to ingestion, and one suspected marijuana cigarette, commonly referred to as a "joint."

Due to evidence located on scene, Mr. Willock was placed under arrest, handcuffed behind his back, double-locked, searched, placed in the rear of patrol vehicle #16, where he was seat belted, and transported to Brick Township Police headquarters.

Upon arrival to headquarters, I secured my department issued firearm in a secure area. Mr. Willock was then processed per department policy, finger printed and photographed. He was charged with 2C:35-10a(4) possession of marijuana 50 grams or less a violation of NJ 2C:35-10a(4) and possession of drug paraphernalia, a violation of NJ 2C:36-2 on summons#1506-S-2019-000805. In addition to criminal charges, Mr. Willock received two motor vehicle summons' operation of a motor vehicle during a period of suspension, a violation of NJ 39:3-40 on summons#1506-E19-004881 and possession of a controlled dangerous substance in a motor vehicle, a violation of NJ 39:4-49.1 on summons#1506-E19-004883 and then released.

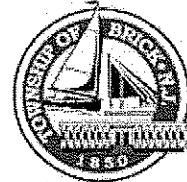
It should be noted the rear of my patrol vehicle was checked prior to and after transporting Mr. Willock.

It should also be noted on call Detective, Detective Alvarado #221, was contacted and advised of the incident.

Evidence located on scene was logged into property and placed into evidence.



Case Report Summary



Print Date/Time: 09/23/2019 11:44
Login ID: jsisco
Case Number: 2019-00052862

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00052862
Location: RT 88 / VAN ZILE RD
Brick Township, NJ 08724
Reporting Officer ID: 0289 - Riccio

Incident Type: CDS - Prescription/Legend Drugs
Occurred From: 08/18/2019 17:50
Occurred Thru: 08/18/2019 17:50
Disposition: Cleared by Arrest
Disposition Date: 08/18/2019
Reported Date: 08/18/2019 17:50 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1
3	State	6300	39:3-33	Improper Display - Fictitious Plates	2
4	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Santiago, Jesslyn Brittany	[REDACTED]	[REDACTED]	Asian/Pacific Islander	Female	[REDACTED]
Suspect	2	Trainor, Daniel John	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51603 A	Santiago, Jesslyn Brittany	RT. 88/ JACK MARTIN Brick, NJ 08724	08/18/2019 18:41	Probable Cause	[REDACTED]
51604 A	Trainor, Daniel John	RT 88/ JACK MARTIN Brick, NJ 08724	08/18/2019 18:41	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/18/2019	Evidence / Seized	Drug Paraphenalia			Pill bottle/Game wrapper	53165	1
08/18/2019	Evidence / Seized	Drugs			Marijuana	53164	1

Chain of Custody

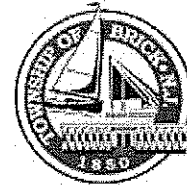
Date	Transaction	From	From Role	To	To Role
08/19/2019 06:33	Type: Intake Code: Log In Tag Number: Remarks:	0289-Joseph Riccio		SP170-Frank Scelfo	
		53165			

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/19/2019 06:33	Type: Intake Code: Log In Tag Number: Remarks:	0289-Joseph Riccio		SP170-Frank Scelfo	
		53164			



Case Report Summary



Print Date/Time: 09/23/2019 11:44
Login ID: jsisco
Case Number: 2019-00052862

ORI Number: Brick Township Police Department
NJ0150600

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2000	NISSAN	Maxima	Gray	G62LJP	NJ

OfficerID: joseph.riccio, Narrative

On 08/18/2019 at 1750 hours I (Ptl. Riccio#289) was on patrol on Rt. 88 near the intersection of Van Zile Road. During that time a gray Nissan Maxima (N.J. Reg. G62LJP) passed my location. I observed the front license plate to the vehicle to be shoved in between the front windshield, and the dashboard (39:3-33). While closing the distance on the vehicle I also observed a bracket covering the top and bottom lettering to the rear license plate (39:3-33).

I stopped the vehicle in the Walgreens parking lot (1890 Rt. 88). As I approached the vehicle I was met by Jesslyn Santiago (Driver), and Daniel Trainor (Front seat passenger). I asked Jesslyn for her credentials (i.e. license, registration, and insurance), and she provided them willingly. While speaking with Jesslyn her speech, and movements were fast. I asked Daniel for his information, and he provided his pedigree information willingly. I asked Jesslyn where she was coming from to which she stated she was out with a friend on their boat, and now on her way home. I asked her what her friends name was. She said his name was Brendan but did not know his last name. I asked her how long she had known Brendan, and she stated since about February. I asked her how many times she had been with Brendan in person. She stated about five times. She later stated she talks to him on the phone all the time. It appeared she would know Brendan well due to the length of time she has known him, and how much she speaks to him. This raised my suspicion. While speaking with Jesslyn I asked her to step out of the vehicle, and she did so willingly. Ptl. Marmer #340, Ptl. Smith #231, and Ptl. Melia #267 arrived on scene to assist.

Due to Jesslyn's story not making sense I asked for consent to search her vehicle. Jesslyn denied consent. As a result Ptl. Smith deployed his K9 partner "Echo" in order to do a narcotics sniff on the vehicle. At the conclusion of the sniff Ptl. Smith advised Echo had a positive indication on the vehicle for narcotics. Ptl. Smith located a pill bottle in the middle console containing a small quantity of green vegetation suspected to be Marijuana (2C:35-10A(4)). Inside of the middle console Ptl. Smith also located an unopened game wrapper commonly used to prepare marijuana for ingestion (2C:36-2). Nothing further was located inside of the vehicle.

I read Jesslyn her Miranda rights via. a reference card, and she agreed to speak with me. Jesslyn stated it must be her friends, and she was not aware the marijuana was inside of the vehicle. I walked over to Daniel's location and read him the Miranda rights via. a reference card, and he also agreed to speak with me. Daniel also denied knowledge of the Marijuana. Jesslyn and Daniel were placed under arrest (handcuffs double locked). Prior to leaving the scene the vehicle was locked, and secured. A probable cause search of both subjects yielded negative results. I transported Jesslyn to HQ, and Ptl. Marmer transported Daniel. At HQ they were both booked and processed without incident.

Jesslyn was issued the following traffic summonses:

E19-005050 39:3-33 Unclear plates
E19-005051 39:3-33 Unclear plates
E19-005052 39:4-49.1 CDS in a MV

Jesslyn was released on criminal complaint summons #1506S2019000829, and charged with the following:

2C:35-10A(4) Possession of Marijuana
2C:36-2 Drug Paraphernalia

Daniel was released on criminal complaint summons #1506S2019000830, and charged with the following:

2C:35-10A(4) Possession of Marijuana
2C:36-2 Drug Paraphernalia

All located items were placed into property. Sgt. Det. Olsen #185 was contacted and advised of the incident.



Case Report Summary



Print Date/Time: 09/23/2019 11:45
Login ID: jsisco
Case Number: 2019-00052863

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00052863
Location: 667 MANTOLOKING RD
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0250 - Talty

Incident Type: CDS - Possession
Occurred From: 08/18/2019 17:54
Occurred Thru: 08/18/2019 18:30
Disposition: Cleared by Arrest
Disposition Date: 08/18/2019
Reported Date: 08/18/2019 17:54 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1
3	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1
4	State	6300	39:4-126	Failure to signal turn	1
5	State	6300	39:4-90	Failure to yield right of way at intersections	1
6	State	6300	39:4-67	Obstruction passage of other vehicles	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Hernandez, Jeffrey	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51602 A	Hernandez, Jeffrey	556 MANTOLOKING RD Brick Township, NJ 08723	08/18/2019 18:05	On-View	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/18/2019	Evidence / Seized	Drug Paraphenalia			plastic bag and plastic container used to store cds	53163	1
08/18/2019	Evidence / Seized	Drugs			Marijuana 50 grams or less	53162	1



Case Report Summary



Print Date/Time: 09/23/2019 11:45
Login ID: jsisco
Case Number: 2019-00052863

ORI Number: Brick Township Police Department
NJ0150600

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/19/2019 06:56	Type: Intake Code: Log In Tag Number: Remarks:	0250-Ryan Talty 53163		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/19/2019 06:55	Type: Intake Code: Log In Tag Number: Remarks:	0250-Ryan Talty 53162		SP170-Frank Scelfo	
09/06/2019 08:57	Type: Release Code: O.C. Lab Tag Number: Expected Return Date: Remarks:	SP170-Frank Scelfo 53162		ocean county lab	

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	1996	OLDS	Cutlass/Ciera	Gold	D85LCS	NJ

OfficerID: rtalty, Narrative

On 08/18/2019, I was on patrol in the area of Mantoloking Road and McKay Drive. During this time, I was assigned to the patrol division operating a marked vehicle in full police uniform.

At 1752 hours, I observed a gold Oldsmobile (suspect vehicle) bearing NJ registration D85LCS at the intersection of McKay Drive and Mantoloking Road. I observed the suspect vehicle quickly turn west onto Mantoloking Road, while doing so the suspect vehicle failed to yield to an oncoming pickup truck. The pickup truck quickly applied brakes to avoid striking the suspect vehicle. I observed the suspect vehicle quickly turn right onto Unity Drive after failing to utilize a turn signal. I turned my vehicle eastbound on Mantoloking onto the shoulder area. A short time later the suspect vehicle turned back onto Mantoloking Road driving east. I activated my emergency lights signaling the vehicle to stop. The vehicle pulled into the parking of 7-11 (667 Mantoloking Road).

I made contact with the driver identified as Jeffrey Hernandez. During this time, my body worn camera (BWC) was activated. While speaking to Hernandez, I requested his documents and advised him the reason for the motor vehicle stop. Hernandez had difficulty locating a valid insurance card. Hernandez opened his center glove box to locate the card, while doing so I observed a plastic bag containing a greenish/brownish substance believed to be marijuana in plain view. Hernandez removed the plastic bag and handed it to me, upon observation I detected an odor of raw marijuana confirming my suspicion. I secured the bag and later placed into evidence. Ptl. Smith #231 arrived on location to assist. I requested Hernandez exit the vehicle, he complied and was placed into custody. Believing the vehicle to contain additional CDS, I conducted a search of the interior compartment. At the conclusion of the search, no additional CDS was located.

Hernandez was searched and placed into the rear of vehicle #47 which was also search prior. Hernandez was transported to Police Headquarters for booking procedures. At headquarters, I secured my duty weapon and escorted Hernandez to cell block #2. Hernandez was searched and placed into cell #3. Hernandez was charged with the following offenses:

- 1) Possession of marijuana 50 grams or less - 2C:35-10A(4)
- 2) Possession of drug paraphernalia - 2C:36-2

Hernandez was also issued the following motor vehicle summonses:

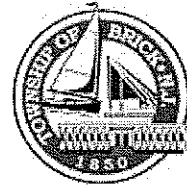
- 1) Possession of CDS in a motor vehicle - 39:4-49.1
- 2) Failure to signal turn -39:4-126
- 3) Failure to yield to traffic - 39:4-90
- 4) Obstruction traffic - 39:4-67

Hernandez was released after being served complaint summons #S-2019-0000827.

DEU was notified of this arrest.



Case Report Summary



Print Date/Time: 09/23/2019 11:46
Login ID: jsisco
Case Number: 2019-00054397

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00054397
Location: 41 DRUM POINT RD 1
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0279 - Bennett II

Incident Type: CDS - Possession
Occurred From: 08/25/2019 21:35
Occurred Thru: 08/25/2019 21:45
Disposition: Cleared by Arrest
Disposition Date: 08/25/2019
Reported Date: 08/25/2019 21:35 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Fields, Anthony Clifford, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

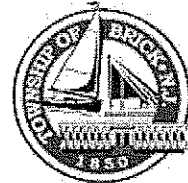
Arrest No.	Name	Address	Date/Time	Type	Age
51638 A	Fields, Anthony Clifford, Jr.	41 DRUM POINT RD 1 BRICK TOWNSHIP, NJ 08723	08/25/2019 21:45	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/25/2019	Evidence / Seized	Drugs			Tissue paper containing loose raw and partially smoked suspected marijuana. To be tested.	53281	1
08/25/2019	Evidence / Seized	Drug Paraphenalia			Makeshift tin foil bowl containing suspected raw marijuana.	53280	1



Case Report Summary



Print Date/Time: 09/23/2019 11:46
Login ID: jsisco
Case Number: 2019-00054397

ORI Number: Brick Township Police Department
NJ0150600

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/25/2019 22:35	Type: Intake Code: Log In Tag Number: Remarks:	Fields, Anthony Clifford, Jr.	Owner	0279-Michael Bennett II	Officer
		53281			
08/26/2019 06:07	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0279-Michael Bennett II		SP170-Frank Scelfo	
		53281			

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/25/2019 22:32	Type: Intake Code: Log In Tag Number: Remarks:	Fields, Anthony Clifford, Jr.	Owner	0279-Michael Bennett II	Officer
		53280			
08/26/2019 06:06	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0279-Michael Bennett II		SP170-Frank Scelfo	
		53280			

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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OfficerID: mbennett, Narrative

On 08/25/2019 at 2131hrs I conducted a premise check at the Drum Point Sports Complex. While on the access road in between the complex and Drum Point Elementary School, I suddenly observed a Hispanic looking male (later identified as Anthony Fields Jr.) operating a bicycle coming towards me in the opposite direction. As Fields rode past me I noticed he had a surprised, nervous look on his face. I also noticed that there was no light on the front or rear of his bicycle, In violation of N.J.S 39:4-10(Lights and Reflectors on Bicycles). I turned my patrol vehicle around and approached Fields to conduct a stop for the light infraction.

I caught up to Fields just as he was entering the parking lot of Drum Point Elementary School at the end of the access road. Fields turned around and observed me approaching. He then began looking around as if he were going to try and flee on the bicycle. I activated my emergency overhead lights to initiate a pedestrian stop on Fields. Fields looked back again, and then continued to look around while still pedaling his bicycle forward. After several seconds, I activated my siren and then Fields finally slowed down and stopped the bicycle. At this time, I exited my patrol vehicle and quickly approached Fields. Fields still had a nervous look on his face. I asked if he was okay, but he just stared at me. Eventually, he advised that he was fine.

In speaking with Fields, I advised him of the reason I stopped him. Fields advised that he was not aware he needed a light. I could now see that Fields also did not have an audible bell or signal on his bicycle, in violation of N.J.S 39:4-11(Audible Signal). I advised Fields of the second violation, and asked where he was coming from. Fields advised that he was just riding around to get outside for a little bit. He explained that he was from Plattsburg NY, and recently moved in with his brother in Brick approximately one month prior. Because of Fields' initial nervous behavior, I asked if he had anything illegal in his possession. Fields paused and then looked down in the area of his sweatshirt pocket. He then stated that he had a "little bit of weed" on him. I asked where it was, and Fields stated he had a bowl containing some marijuana in his shirt pocket. I asked if there was anything else on him. Fields then stated that he had a small amount of marijuana rolled up in some tissue paper in his back pocket. I conducted a search of Fields, and in doing so recovered the following items:

- 1) Makeshift tin foil bowl containing suspected raw marijuana which was recovered from Fields' shirt pocket.
- 2) Loose suspected raw and partially smoked marijuana rolled up in tissue paper which was recovered from Fields left rear pants pocket.

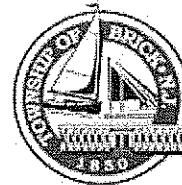
The above items were seized as evidence. I then removed Fields from his bicycle, secured him in double locked handcuffs to the rear of his torso, and advised him he was under arrest for possession of marijuana. At this time, Ptl. Talty arrived on location to assist. I escorted Fields over to my patrol vehicle where I finished searching him incident to arrest. No further contraband was located. After searching the rear passenger compartment of my patrol vehicle for any debris or contraband with negative results, I secured Fields in the compartment and transported him to police headquarters for processing.

Upon arrival at headquarters, I removed Fields from the rear compartment. After again searching the compartment with negative results I escorted Fields inside, secured my duty weapon, and escorted him into cell block #1. Once there, he was further secured in accordance with departmental policy and then escorted into the booking room. The above listed contraband was logged into property as evidence. Fields was then processed and served with Summons #S-2019-000850 for 2c:35-10a(4)(Possession of Marijuana Less Than 50 Grams) and 2c:36-2(Possession of Drug Paraphernalia). He was given verbal warnings for the bicycle infractions. Fields was released pending his court date and transported back to his bicycle.

BWC video available.



Case Report Summary



Print Date/Time: 09/23/2019 11:52
Login ID: jsisco
Case Number: 2019-00056116

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00056116
Location: 60 CREEK RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0258 - Theibault

Incident Type: CDS - Possession
Occurred From: 09/01/2019 20:12
Occurred Thru: 09/01/2019 20:46
Disposition:
Disposition Date:
Reported Date: 09/01/2019 20:12 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1
3	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Othello, Rhacora Yvonne	[REDACTED]	[REDACTED]	Black	Female	[REDACTED]
Suspect	2	Powell, Aleena Renee	[REDACTED]	[REDACTED]	Black	Female	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51671 A	Othello, Rhacora Yvonne	62 CREEK RD BRICK TOWNSHIP, NJ 08724	09/01/2019 20:46	On-View	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
09/01/2019	Evidence / Seized	Drug Paraphenalia			a metal black grinder containing suspect marijuana residue along with cigar packages containing blunt cigars	53336	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
09/01/2019 21:20	Type: Intake	Othello, Rhacora Yvonne	Owner	0258-Harrison Theibault	Officer
	Code: Log In				
	Tag Number:	53336			
	Remarks:				
09/02/2019 06:08	Type: Release	0258-Harrison Theibault		SP170-Frank Scelfo	
	Code: TOT Property Officer				
	Tag Number:	53336			
	Expected Return Date:				
	Remarks:				

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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Print Date/Time: 09/23/2019 11:52
Login ID: jsisco
Case Number: 2019-00056116

Case Report Summary



ORI Number: Brick Township Police Department
NJ0150600

On 09/01/2019, at approximately 2012 hours, while on bicycle patrol I observed two subjects in a Gray Honda bearing NJ# S19JRDC parked in front of 60 Creek Rd. As I road past the occupied vehicle I could detect a strong odor of Marijuana coming from the direction of the vehicle. In addition, while passing the vehicle the occupants turned the ignition on to the vehicle then turned it off.

At that point, Ptl. Borden and I got off of our bicycles and approached the parked occupied Honda. Upon our approach to the vehicle the odor of Marijuana intensified as the occupants opened the windows. At that point, I asked the driver later identified as Rhacora Othello and passenger Aleena Powell for there credentials. As Othello and Powell provided me with their credentials I asked what they were doing and they replied back that they were just hanging out talking. At that point, I asked them both to step out of the vehicle and walk to the back bumper.

When we got to the back of the vehicle, I advised them that I was going to conduct a interior search of the vehicle because I detected a strong odor of marijuana upon approaching the vehicle and when they opened the windows. Before I began the search I asked them a second time if they had anything illegal in the vehicle. Once again both Othello and Powell responded back that there was nothing in the vehicle.

At that point, I began searching vehicle. While searching the vehicle, Ptl. Chadwick #281 and Ptl. Zolezi #269 responded to the scene to assist. During the search Othello openly admitted that they were smoking and nothing was left however Othello stated she did have a metal grinder in her black purse which was in the vehicle. I observed the black purse and inside contained a black metal grinder which contained raw marijuana residue. The rest of the search resulted in finding two empty cigar packages containing cigar wrappers.

Once the search was complete. Othello was placed under arrest for Possession 2C:35-10a(4) and Possession of Paraphernalia 2C:36-2. She was then transported to Headquarters by Ptl. Chadwick #281. Othello was processed as per department policy and released on summons # 1506 2019 000867.

Ptl. Puccio from DEU was contacted in regards to the incident. The black grinder and empty packages of cigar wrappers were entered into property.



Case Report Summary



Print Date/Time: 09/23/2019 11:53
Login ID: jsisco
Case Number: 2019-00058520

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00058520
Location: 6 LANES MILL RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0289 - Riccio

Incident Type: CDS - Possession
Occurred From: 09/12/2019 21:40
Occurred Thru: 09/12/2019 21:40
Disposition:
Disposition Date:
Reported Date: 09/12/2019 21:40 Thursday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	2
2	State	2600	2C:36-2	Possession of Drug Paraphernalia	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Dunne, Jake Thomas	[REDACTED]		White	Male	[REDACTED]
Suspect	2	Serratelli, Tiffany M	[REDACTED]		White	Female	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51726 A	Dunne, Jake Thomas	6 LANES MILL RD BRICK TOWNSHIP, NJ 08724	09/12/2019 21:45	Probable Cause	

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
09/12/2019	Evidence / Seized	Drug Paraphenalia			2 GLASS SMOKING PIPES, GRINDER, CLEAR PLASTIC BAG	53448	1
09/12/2019	Evidence / Seized	Drugs			THC VAPE CARTRIDGES	53447	1
09/12/2019	Evidence / Seized	Drugs			GREEN VEGETATION SUSPECTED TO BE MARIJUANA	53446	1



Case Report Summary



Print Date/Time: 09/23/2019 11:53
Login ID: jsisco
Case Number: 2019-00058520

ORI Number: Brick Township Police Department
NJ0150600

Chain of Custody

Date	Transaction	From	From Role	To	To Role
09/13/2019 06:28	Type: Intake Code: Log In Tag Number: Remarks:	0289-Joseph Riccio 53448		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
09/13/2019 06:27	Type: Intake Code: Log In Tag Number: Remarks:	0289-Joseph Riccio 53447		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
09/13/2019 06:26	Type: Intake Code: Log In Tag Number: Remarks:	0289-Joseph Riccio 53446		SP170-Frank Scelfo	

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2014	MAZDA	Mazda 6	Red	V46LRG	NJ

OfficerID: Joseph.riccio, Narrative

On 09/12/2019 at 2140 hours I (Ptl. Riccio #289) was I entered the Wawa parking lot (6 Lanes Mill Rd), and parked next to a red Mazda 6 (N.J. Reg. V46LRG). I observed a female (Tiffani Serratelli), and a male (Later identified as Jake Dunne) exit the vehicle. I peered inside, and observed in plain view a clear plastic bag containing green vegetation suspected to be Marijuana sitting on top of the middle console. I walked into the store to check on their whereabouts, and then exited the store waiting near the vehicle. Ptl. Fernino #283, and Ptl. Oliverio #286 arrived on scene to assist.

As the two approached the vehicle I approached them, and asked if either were in possession of a CUMMA card. Jake was aggressive in nature, and stated he would not answer any of my questions. I read Tiffani her Miranda Rights via. a reference card, and she was not willing to speak with me. I advised her I only had one question, and that was if the Marijuana in the vehicle was hers. Almost immediately Jake stated the Marijuana was his to include the bowl, and a couple pens (THC pens). I placed Jake under arrest (Handcuffs double locked), and placed him into the rear of my vehicle.

A probable cause search of the vehicle yielded the following:

(1) clear plastic bag containing approximately four grams of green vegetation suspected to be Marijuana located on top of the middle console.

(3) THC vape pens located inside of the middle console.

(2) Glass smoking piped located in a cubby near the middle console

(1) Grinder located in a cubby near the middle console.

A probable cause search of Tiffani, and Jake's person yielded negative results. I transported Jake to H.Q. where he was booked, and processed without incident. Jake was transported to OCJ on criminal complaint warrant #1506W2019000915, and charged with the following:

2C35-10A(4) Possession of Marijuana 2 counts

2C:36-2 Drug Paraphernalia 1 count

All items located were placed into property. DEU Det. Alvarado #221 was contacted, and advised of the incident.

1506-E19-005617

39:4-50 Operating under the influence of alcohol or drugs

1506-E19-005618

39:4-96 Reckless driving

1506-E19-005619

39:4-97 Careless driving

1506-E19-005620

39:3-29C Failure to possess driver insurance card

1506-E19-005621

39:3-29B Failure to possess driver registration card

1506-E19-005622

39:4-49.1 Operating a motor vehicle while in possession of narcotic

1506-E19-005623

39:4-81A Failure to observe traffic signal

1506-E19-005624

39:4-88B Traffic on marked lanes

Ptl. Haugh #217 responded to Police headquarters to operate the alcotest machine and Serratelli provided breath samples as requested (see Ptl. Haugh's supplement report). Serratelli had a blood alcohol content of .00 and at this time I requested a Drug Recognition Expert respond to Police Headquarters to test Serratelli for CDS use.

Ptl. Bazerque #436 of Long Beach Police Department responded to Police headquarters and conducted a DRE examination. Ptl. Bazerque's examination indicated the following drug category: CNS Depressant and Narcotic Analgesic (see Ptl. Bazerque's report).

While in custody Serratelli complained of pain due to his hernia and prior to his release requested to be transported to Brick hospital due to the pain. I completed my paperwork prior to EMS arrival and Serratelli was released to the care of the EMS and transported to Brick hospital for treatment.

Serratelli's vehicle was impounded as per John's law and was entered into property via Aegis. all evidence seized was entered into property via Aegis.

This incident was captured on Body Worn Camera.

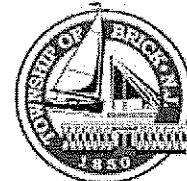
OfficerID: ehaugh, Narrative

On 09-14-2019 I operated the Alcotest 7110 MKIII-C for Ptl. Albanese #257 that had Daniel Serratelli in custody for DUI. I advised Serratelli of his Miranda Rights and read him the Standard Statement Form. Serratelli understood his rights and agreed to provide breath samples.

I observed Serratelli in excess of twenty minutes before beginning the test. Prior to the start of the test all radios and cell phones were removed from the room. Serratelli did not wear dentures and did not have any foreign objects in his mouth during testing. Serratelli provided two breath samples with the results of 0.00% BAC. Those results were run through the New Jersey State Police Alcotest Calculator and they were within acceptable tolerance. See Ptl. Albanese's report under this case number for further details.



Case Report Summary



Print Date/Time: 09/23/2019 11:22
Login ID: jsisco
Case Number: 2019-00050402

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00050402
Location: 730 LYNNWOOD AVE blk
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0284 - Barlowski

Incident Type: DWI
Occurred From: 08/07/2019 20:30
Occurred Thru: 08/07/2019 20:30
Disposition: Cleared by Arrest
Disposition Date: 08/07/2019
Reported Date: 08/07/2019 20:30 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-88B	Unsafe Lane Change	1
5	State	6300	39:4-51b	Open or unsealed alcoholic beverage in vehicle	1
6	State	2100	39:4-50	Operating under influence of liquor or drugs	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	WITTMAN, DAVID C	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Other	2	Gant, Wallace Troy	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Suspect	1	Mansfield, Timothy Kenneth	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51562 A	Mansfield, Timothy Kenneth	730 LYNNWOOD AVE BRICK TOWNSHIP, NJ 08723	08/07/2019 20:47	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/07/2019	Evidence / Seized	Alcohol			2 open containers of fireball	53087	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/07/2019 23:08	Type: Intake	Mansfield, Timothy Kenneth	Owner	0284-Anthony Barlowski	Officer
	Code: Log In				
	Tag Number:	53087			
	Remarks:				
08/08/2019 08:08	Type: Release	0284-Anthony Barlowski		0159-Brian Lash	
	Code: TOT Property Officer				
	Tag Number:	53087			
	Expected Return Date:				
	Remarks:				



Case Report Summary



Print Date/Time: 09/23/2019 11:22
Login ID: jsisco
Case Number: 2019-00050402

ORI Number: Brick Township Police Department
NJ0150600

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2007	TOYOTA	Corolla	Silver	H59HYC	NJ

OfficerID: abarlowski, Narrative

On 08/07/2019 at approximately 2028 hours I was on patrol in marked police vehicle #18 on Hooper Ave. I observed a small silver vehicle turn right onto Hooper Ave. heading North. When the vehicle turned, two tires went fully across the double yellow center line before the driver straightened into the correct lane.

I continued to follow the vehicle as he turned right onto Mantoloking Rd. at a pace which was considerably lower than normal. As the vehicle continued East on Mantoloking Rd. The vehicle again went over the double yellow center line and almost caused a head on motor vehicle crash. At this time I closed the distance and observed the vehicle to be a silver Toyota Corolla bearing New Jersey registration K65FKH. I activated my overhead emergency lights and initiated a traffic stop in the area of Visitation Church(730 Lynnwood Ave.). The vehicle took a longer than normal time to come to a complete stop but eventually did so. I approached the vehicle on the driver's side and asked the driver for his license registration and insurance. As I was asking for the driver's credentials I could detect the odor of an alcoholic beverage emanating from the vehicle.

The driver provided me with the requested documents and I identified him as Timothy Mansfield through his New Jersey driver's license. I advised Mansfield I detected the odor of an alcoholic beverage and asked if he had been drinking. Mansfield advised he had two beers and a shot of fireball approximately three hours prior. While speaking with him I observed in plain view an open alcoholic beverage container in the cup holder, specifically, a small container of fireball whiskey. The passenger of the vehicle, the registered owner David Wittman, stated the open container was his. Additionally I observed Mansfield's eyes to be watery and he movements sluggish. I requested an additional officer respond to the scene and Ptl. Miller #218 arrived to assist.

When Ptl. Miller arrived I requested Mansfield step out of the vehicle in order to perform field sobriety tests. Mansfield complied and he was directed to an area which was well lit, level, and free of debris. I asked Mansfield if he had any injuries which would prevent him from taking any physical test and he stated he did not. I asked Mansfield if he knew the English alphabet and what was his last grade completed. He stated he did know the alphabet and completed 12th grade. I requested he recite the alphabet from A to Z slowly and without singing. Mansfield completed the alphabet from A to Q then said X, R, and stopped the test. He also said the alphabet very quickly and was partially singing.

The next test he was instructed to perform was the walk and turn test. I placed Mansfield into the starting position with his hands at his side and his right foot heel to toe in front of his left. As I was attempting to explain and demonstrate the test Mansfield attempted to begin multiple times. I instructed him to take nine heel to toe steps and once he reached nine he was to take a series of small turns back and take nine additional steps. I asked him if he understood the instructions as I gave them to him and he stated he did. He was then instructed to start the test. Mansfield did not start the test and asked if he could start the test. He was then told again to begin the test. Mansfield took 10 steps none of which were heel to toe. When he reached 10 steps he asked what to do now. He was instructed to take nine additional steps back where he came from. Mansfield did take nine steps but still did not touch heel to toe on any of the steps.

The next test Mansfield was instructed to perform was the one leg stand. I placed Mansfield into the starting position with his feet together and hands at his sides. I instructed him to raise the foot of his choosing six inches off of the ground with his toe pointed to the sky. he was instructed to look at his toe and count 1000-1, 1000-2, 1000-3, until he was told to stop. I asked him if he understood the instructions and he stated he did. He was then instructed to begin the test. Mansfield counted to 1000-10 and then stopped the test. He lifted his foot approximately 2 inches off of the ground and was constantly swaying for balance. He started again and completed to 1000-2 when I advised him again to lift his foot six inches off of the ground while looking at his toe. Mansfield immediately placed his foot down for balance when attempting to raise it higher. Mansfield began the test again and was counting too low for me to hear. He again did not have his foot six inches off of the ground and was advised to raise it higher. He did so and stopped counting completely. After a few seconds he placed his foot down again and the test was terminated.

After the tests had concluded Ptl. Miller spoke with Wittman who was still in the vehicle. As Ptl. Miller was speaking with Wittman he observed an additional open container of fireball inside of the vehicle. Wittman denied ownership of the alcoholic beverage. Both open alcoholic beverage containers were collected as evidence.

At this time Mansfield was placed under arrest for driving under the influence. He was handcuffed utilizing the double locking method and escorted to my patrol vehicle. Once at the rear of my patrol vehicle he was searched incident to arrest with negative results and loaded into the vehicle. I had checked the rear of my vehicle prior to the start of my and confirmed it to be free of any contraband or debris. Mansfield was then transported to headquarters. Ptl. Miller remained on scene and the vehicle was impounded per John's Law by D&L Towing. Once at headquarters I secured my weapon in a provided locker and escorted Mansfield to the cell area. Once in the cell area he was checked again for additional property in accordance with departmental policy and escorted to the booking area.

Ptl. Catalina #263 was at headquarters in order to operate the Alcotest machine(See his supplemental report for additional details). Mansfield gave adequate breath samples and was found to have a blood alcohol content of .17%. Mansfield was issued summons

E19004804 for 39:4-50(DUI), E19004805 for 39:4-96(Reckless Driving), E19004806 for 39:4-97(Careless Driving), E19004807 for 39:4-88B(Failure to Maintain Lane), and E19004809 for 39:4-51B(Open Container of Alcohol in a Vehicle).

Mansfield's daughter, Tara Mansfield was contacted and responded to headquarters. She signed the potential liability waiver and Timothy Mansfield was released to her.

OfficerID: Mcatalina, Narrative

While in Police roll call I, Ptl. Catalina #263, was advised by Sgt. Vendrell #228 that Ptl. Barlowski #284 had a male subject in custody for DUI/DWI. I was asked to operate the Alcotest 7110 MKIII-C for Timothy K. Mansfield (Mansfield). I entered into the booking room where Mansfield was sitting. At that time Mansfield was under my direct, uninterrupted observation for twenty minutes. During the observation period, Mansfield did not have anything in his mouth. During the observation period Mansfield did not belch, vomit and did not consume any food or drinks. All portable electronic devices were removed from the booking room. I advised Mansfield of his Miranda Warning Rights at 2141 hours. Mansfield agreed to the acknowledgement of his Miranda Rights and also signed off on the Miranda Warnings Form.

The NJ Attorney General's Standard Statement for Motor Vehicle Operators was read to Mansfield. After completing the nine bullets, Mansfield stated, "Yes, I will" when asked if he would submit samples of his breath.

I operated the Alcotest 7110 MKIII-C. Mansfield was read the breath sample instructions verbatim, from the posted sign, which he stated he understood. The instructions were read for both breath sample collections. The breath hose mouth piece was changed after each breath sample was given.

Mansfield's first breath sample was accepted. Mansfield's second breath sample was accepted. The reported breath samples recorded was 0.17% BAC. The breath sample results were entered into the New Jersey State Police Alcotest Calculator, and were within acceptable tolerances.

A copy of the Alcohol Influence Report was provided to Mansfield upon his release.

Body Worn Camera video available.

OfficerID: mmiller, Narrative

On 8/7/19 at approximately 2030 hours Ptl. Barlowski (#284) placed Timothy Mansfield under arrest for DUI (see his report under the same case number for full details). David Wittman was a passenger in Mansfield's vehicle, and was also intoxicated. Ptl. Barlowski (#284) transported Mansfield to headquarters for processing, while I remained with the vehicle and Wittman.

While waiting for the tow truck to impound the vehicle as per John's Law, I requested Wittman contact a friend for a ride. Wittman contacted lifelong friend and Brick resident, Wallace Gant. Gant stated he would respond momentarily.

The tow truck arrived quickly. Due to the heavy rain, I instructed Wittman to wait under the side overhang of Visitation Church (730 Lynnwood Ave), rather than getting wet. I watched Wittman walk to the side of the building as I dealt with the tow truck driver and observed the impound. I observed Wittman stop at the sidewalk on the east side of the church. It appeared that Wittman was going to sit on the curb, but quickly lost his balance. Wittman fell forward, and struck his forehead and face on the sidewalk from a distance of approximately 2.5 feet. I immediately attended to Wittman who sustained lacerations to his forehead and nose.

I advised dispatch of the situation and requested an ambulance to our location. At this time Gant arrived and was advised of the situation.

Med Unit 535 arrived and evaluated Wittman. As a precaution, Wittman was transported to the Ocean Medical Center for further evaluation and observation.



Case Report Summary



Print Date/Time: 09/23/2019 11:15
Login ID: jsisco
Case Number: 2019-00049415

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00049415
Location: 40 MANTOLOKING RD blk
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0296 - Patrick

Incident Type: DWI
Occurred From: 08/03/2019 01:30
Occurred Thru: 08/03/2019 01:30
Disposition: Cleared by Arrest
Disposition Date: 08/03/2019
Reported Date: 08/03/2019 01:30 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	6300	39:3-66	Maintenance of Lamps	1
2	State	6300	39:4-88B	Unsafe Lane Change	1
3	State	2100	39:4-50	Operating under influence of liquor or drugs	1
4	State	6300	39:4-97	Careless driving	1
5	State	6300	39:4-96	Reckless driving	1
6	State	6300	39:4-51b	Open or unsealed alcoholic beverage in vehicle	1
7	State	8000	2A:10-1	Contempt of Court	2
8	State	6300	39:3-74	Windshield Wipers, Obstructed View	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Marinaro, Krystal Lee	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Suspect	2	Johnson, David Brian	[REDACTED]	[REDACTED]	Black	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51540 A	Johnson, David Brian	40 MANTOLOKING RD BRICK TOWNSHIP, NJ 08723	08/03/2019 02:13	Township Warrant	[REDACTED]
51541 A	Marinaro, Krystal Lee	40 MANTOLOKING RD BRICK TOWNSHIP, NJ 08723	08/03/2019 01:56	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/03/2019	Evidence / Seized	Audio/Visual			One (1) DVD containing picture of commercially labeled bottles of alcohol located inside suspect vehicle in DUI incident.	53043	1

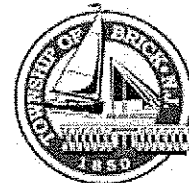
Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/05/2019 05:58	Type: Intake Code: Log In Tag Number: Remarks:	0296-Kyle Patrick		SP170-Frank Scelfo	

Vehicles



Case Report Summary



Print Date/Time: 09/23/2019 11:15
Login ID: jsisco
Case Number: 2019-00049415

ORI Number: Brick Township Police Department
NJ0150600

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2004	HYUNDAI	SANTA FE	White	F73LKT	NJ

OfficerID: kpatrick, Narrative

On 08/03/2019 at approximately 0130 hours, I (Patrolman Patrick #296) was on patrol in marked patrol vehicle #01 in the area of Mantoloking Road and Adamston Road. During this time, I observed a 2004 White Hyundai Santa Fe (NJ Registration: F73LKT) traveling eastbound on Mantoloking Road, directly in front of me, with its license plate lights out. While traveling behind the Santa Fe, I observed it fail to maintain its lane; specifically by both its passenger side tires crossed the solid-white shoulder lane marking for approximately three-hundred (300) feet. After I observed these motor vehicle violations, I safely closed the distance to the suspect vehicle and initiated my emergency lights to conduct a motor vehicle stop in front of 40 Mantoloking Road (Trader's Cove Marina).

I approached the Santa Fe on the drivers side and identified myself as a Brick Township Police Officer to the operator, identified as Krystal Lee Marinaro (Marinaro). I requested Marinaro to hand me her drivers license, vehicle registration, and vehicle insurance. Marinaro quickly handed me her driver's license and registration, but was unable to produce a physical copy her insurance card. While Marinaro was handing me her credentials and looking up her insurance card on her phone, I inquired about where she and her passenger were coming from. Marinaro claimed they were coming from her residence at 955 Rosewood Avenue. Marinaro also claimed they were traveling to Seaside to walk on the boardwalk. I then explained to Marinaro the reasons for the motor vehicle stop. While conversing with Marinaro, I observed her watery eyes and pinpoint pupils, in addition to an odor of alcoholic beverages emanating from inside the passenger compartment. In addition to these observations, I observed a sealed twelve (12) ounce commercially labeled alcoholic bottle of "Twisted Tea," in the center cup holder; as well as an opened 375mL commercially labeled alcoholic bottle of "Tito's Handmade Vodka," on the front passenger floorboard beneath the passenger's feet. I asked for the front passenger to identify himself because the Tito's Vodka was closest to his possession. The passenger provided me with his pedigree information, and was positively identified as David Brian Johnson (Johnson).

While I waited for backup to arrive on scene, Marinaro was able to contact her insurance company to confirm her insurance was active, but she had difficulty understanding the on-screen instructions and required my assistance. Shortly thereafter, Patrolman Rotondo #252 arrived on scene, and I requested Marinaro to step outside to the front of her vehicle. Outside his vehicle, I confirmed the odor of alcoholic beverages was emanating from Marinaro's breath.

I advised Marinaro I would be conducting a series of field sobriety tests to determine if she was under the influence of alcohol while operating her motor vehicle. I walked Marinaro onto the shoulder to conduct the tests on a flat, level ground, free of debris. Before beginning the first test, I asked Marinaro what time it was without looking at a watch. Marinaro stated it was ten 0030 hours, but the actual time was 0150 hours.

The first test I conducted with Marinaro was the Alphabet test. Marinaro was instructed to stand with her feet together and hands at her sides at all times, unless instructed to do otherwise. Marinaro was continuously swaying while trying to maintain the instructed position, clinched her fists, and had to be reminded twice to maintain the instructed position. I began by asking Marinaro what her highest level of education was. Marinaro advised me she had nine (9) years of college completed, and confirmed she had a basic understanding of the English alphabet. Marinaro was then instructed to recite the entire alphabet, without grouping or singing the letters. I confirmed that Marinaro understood my instructions, and advised her to begin. When Marinaro started reciting the alphabet, I observed her grouping the letters, and reciting the alphabet at a rapid pace while whispering the letters. I also observed Marinaro swaying throughout the entire test. After completing his recitation, I concluded the test.

The second test I conducted with Marinaro was the One-Legged-Stand test. Before conducting the test, I asked Marinaro if she had any prior medical history that would prevent her from standing on one leg. Marinaro stated she previously broke both ankles. I advised Marinaro I would take her medical history into account while she conducted her tests. I had to remind Marinaro to stand with her feet together and hands at her sides because she was moving her hands all over and bending over. Marinaro was instructed to raise either foot of her choosing six inches off the ground with her hands at his side, and start counting aloud by "One-Thousands" (I.E. "One One-Thousand," "Two One-Thousand," "Three One-Thousand"), until she was advised to stop, all while keeping his eyes on the toes of her lifted foot. While receiving the instructions, Marinaro had her hands clinched and raised away from her sides. After I finished explaining the test to Marinaro, she did not have any questions, and was advised to begin. During her first attempt, Marinaro raised her right foot and counted to "Two One-Thousand" when she stumbled to her right, with her arms raised away from his sides. Marinaro placed her right foot back on the ground to prevent herself from. Marinaro attempted the test two (2) more times, and the results were the same as her first attempt. Throughout all of her attempts, Marinaro continuously swayed. Marinaro stated she was nervous and began crying. I advised Marinaro the test was concluded.

The next field sobriety test I conducted was the Walk and Turn test. I instructed Marinaro to stand straight, hands at her sides, and her left foot to be placed in front of her foot while receiving instructions. Marinaro immediately placed her left front in front of her right, and started attempting the test without receiving any instructions. I advised Marinaro to stop and instructed her of the position again. Marinaro struggled to maintain this position, and stumbled due to a lack of balance. Eventually, I instructed Marinaro to walk nine (9) heel-to-toe steps, counting each step aloud; then take a series of short choppy steps to turn around; and then walk nine (9) heel-to-toe steps back, counting each step aloud. After I finished explaining the test to Marinaro, she did not have any questions, and was advised to begin. Marinaro walked fifteen (15) steps, spun around, and then walked eighteen (18) steps back.

Additionally, Marinaro did not count any of her steps aloud and did not walk heel-to-toe.

Based on my training, experience, and what was observed during and prior to the tests, I determined that Marinaro was under the influence of alcohol while operating her motor vehicle. This officer placed Marinaro under arrest utilizing the double-locking mechanism, following departmental policy, and she was searched incident to arrest. Marinaro was then placed in the back of patrol vehicle #01.

Ptl. Rotondo and I conducted a search of Marinaro's vehicle to look for any intoxicants. During the search, an open twelve (12) ounce commercially labeled alcoholic bottle of "Twisted Tea" was discovered on the front passenger floorboard. All alcoholic containers were secured in the front seat of Patrol Vehicle #01. No other contraband was found as a result of the search. At Headquarters, a photograph of the recovered alcoholic bottles were placed on a CD-R and was properly secured and placed into evidence located in the departmental intake room. The alcoholic bottles were then properly disposed. Marinaro's vehicle was secured by Ptl. Rotondo and towed by Glenn's Towing as per John's Law, at 0220 hours.

Marinaro was transported to Headquarters where she was placed on a bench in the booking room to begin her twenty-minute observation period. I conducted a check of the rear passenger compartment of Patrol Vehicle #01 prior to and after Marinaro was placed inside. At 0218 hours, Ptl. Docherty #275 read Marinaro her Miranda Rights. Marinaro understood and waived her rights. Ptl. Docherty then read Marinaro the New Jersey Attorney General's Standard Statement for Motor Vehicle Operators, and Marinaro agreed to submit samples of her breath (See Case Supplemental Report #49415-19 by Ptl. Docherty).

Results of the chemical breath test showed Marinaro had a Blood Alcohol Content of 0.10%. It should be noted, the test results were within acceptable tolerance as per the State of New Jersey Alcotest Calculator.

After the Alcotest was conducted, Marinaro was booked and processed, following departmental policy. At 0520 hours, Marinaro was released to Andrew Case, as per John's Law.

Marinaro was charged with the following:

- Maintenance of Lamps (39: 3-66) on Summons 1506-E19-004720
- Failure to Maintain Lane (39: 4-88B) on Summons 1506-E19-004721
- Driving While Intoxicated (39: 4-50) on Summons 1506-E19-004722
- Careless Driving (39:4-97) on Summons 1506-E19-004723
- Reckless Driving (39:4-96) on Summons 1506-E19-004724
- Open Container of Alcohol in MV (39:4-51b) on Summons 1506-E19-004725
- Obstructed Windshield (39:4-74) on Summons 1506-E19-004726

Additionally, Brick Township Dispatch conducted a wants and warrants check on both Marinaro and Johnson. Marinaro had negative warrants, but Johnson had the following active ACS warrants:

- Warrant# S-2015-001331 (\$414.00; Full Bail, No 10%) out of Asbury Park
- Warrant# S-2019-000366 (\$250.00; Full Bail, No 10%) out of Asbury Park

While on scene, Ptl. Rotondo placed Johnson under arrest utilizing the double-locking mechanism, following departmental policy, and he was searched incident to arrest. Johnson was then placed in the back of patrol vehicle #35.

Johnson was transported to Headquarters where he was booked and processed, following departmental policy. Ptl. Rotondo contacted the Asbury Park Police Department to advise them of the warrant. The Watch Commander at Asbury Park Police Department then faxed over Johnson's paperwork to release him on own recognizance (ROR). Johnson was released from the police department with a copy of his ROR paperwork.

Additionally, the entire incident was recorded utilizing my department issued body worn camera.

OfficerID: Kdocherty, Narrative

On 08/03/2019 at approximately 0200 hours I, Ptl. Docherty #275 responded to Headquarters in reference to a DWI arrest to operate the Alcotest 7110 MKIII-C for Ptl. Patrick #296 (Refer to his case report for further information, same case number).

At 0217 hours I began a constant, uninterrupted observation of the suspect (Krystal Marinaro) in excess of twenty (20) minutes. This observation continued throughout my entire contact with Marinaro during which time she did not belch, regurgitate, vomit, or place any foreign objects inside her mouth. All portable electronic devices, including portable radios, and cell phones were removed from the booking room prior to testing. I advised Marinaro of her Miranda rights, which she stated she understood. Marinaro then signed the Waiver portion of the form. I read Marinaro the NJ Attorney General's Standard Statement for Motor Vehicle Operators and she stated she would provide samples of her breath for chemical testing.

After the 20 minute observation period ended I activated the Alcotest 7110. I entered Marinaro's information into the Alcotest and read her the standard instructions. Marinaro stated she understood and was able to provide two sufficient breath samples. Before each breath sample was provided I utilized a new mouthpiece (from a sealed plastic bag) to collect the breath samples from Marinaro.

Upon completion, her B.A.C.% was determined to be 0.10%. The results were provided to dispatch, who used the New Jersey State Police Alcotest Calculator to confirm the results were in acceptable tolerance.



Case Report Summary



Print Date/Time: 09/23/2019 13:21
Login ID: jsisco
Case Number: 2019-00050699

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00050699
Location: BURNT TAVERN RD / LANES MILL RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0282 - Mancini
Incident Type: DWI
Occurred From: 08/08/2019 22:56
Occurred Thru: 08/08/2019 22:56
Disposition: Cleared by Arrest
Disposition Date: 08/09/2019
Reported Date: 08/08/2019 22:56 Thursday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-88B	Unsafe Lane Change	1
5	State	6300	39:4-144	Failure to stop or yield	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Hernandez, Caesar L	[REDACTED]	[REDACTED]	American Indian/Alaska n Native	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51566 A	Hernandez, Caesar L	BURNT TAVERN RD / THE BLVD Brick Township, NJ 08724	08/08/2019 23:11	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2008	FORD	F-150	Black	K56LNY	NJ

OfficerID: emancini, Narrative

On 08/08/2019 at approximately 2256 hours, I responded to the area of Burnt Tavern Road and The Boulevard to assist Sgt. Vendrell #228 who was on a motor vehicle stop. Sgt. Vendrell was stopped in the shoulder of Burnt Tavern Road with a black Ford F-150, bearing NJ registration K56LNY, occupied by one male driver. Ptl. Bennett #279 and Ptl. Erik Talty #303 also responded.

While on the stop, Sgt. Vendrell advised that he observed the vehicle fail to yield while exiting the Garden State Parkway ramp to Lanes Mill Road, and also observed the vehicle fail to maintain the lane of travel. He then conducted a stop on the vehicle based on the violations. Sgt. Vendrell stated the driver was slow to hand him the vehicle documents and he detected the odor of an alcoholic beverage emanating from inside the vehicle.

I approached the driver window of the vehicle and advised the driver, identified as Caesar Hernandez, to exit in order to perform field sobriety tests. I detected the odor of an alcoholic beverage emanating from his breath, and I observed his eyes to be bloodshot and watery and he was slurring his speech. When Hernandez opened the driver door, he stumbled while exiting the vehicle and I safely guided him out of the roadway and onto the shoulder. I observed Hernandez stumbling and grasping for his vehicle for balance. I assisted Hernandez onto the sidewalk where I advised him I would be performing the first test. I then asked him how much he drank and he stated "Five Beers."

I began administering the Standardized Field Sobriety Tests, beginning with the Horizontal Gaze Nystagmus (HGN) Test. I first asked Hernandez if he had any medical problems with his eyes or vision which he stated, "No."

I then placed Hernandez in the starting position which was standing with his feet together while holding both arms down at his sides. Hernandez was unable to put himself in the position and was standing with his feet apart for balance. I also observed him swaying side to side and back to front before administering the test.

During the test, Hernandez could not follow my instructions and was not focusing his eyes on the stimulus. He also turned his head with the stimulus several times. I advised Hernandez repeatedly to keep his eyes on the stimulus to which he responded, "Okay." I was then able to detect lack of smooth pursuit in each eye, onset of Nystagmus prior to forty five degrees in each eye, as well as distinct and sustained Nystagmus at maximum in each eye.

I then began to administer the second test which was the walk and turn test. I attempted to place Hernandez in the starting position which was standing with his right foot directly in front of his left foot, heel touching toe. I explained and demonstrated the starting position to which Hernandez suddenly did not understand my instructions. Sgt. Vendrell asked Hernandez if he would understand the test in Spanish to which he stated "Yes." Sgt. Vendrell then administered the remaining standardized field sobriety tests in Spanish. See case supplemental report for further information.

Based on my observations of Hernandez's performance on the field tests conducted by Sgt. Vendrell and myself, it was determined that Hernandez was operating his vehicle under the influence of alcohol and was subsequently placed into Police custody under NJSA 39:4-50. I handcuffed Hernandez to the rear utilizing double locking handcuffed, searched and placed him into the rear seat of my patrol vehicle. Lepore's Service center responded on scene and impounded the vehicle as per John's Law, at approximately 2334 hours.

While transporting Hernandez to Police Headquarters I detected the strong odor of an alcoholic beverage emanating inside the patrol vehicle.

Hernandez was placed in the holding room without incident where Ptl. Fogarty #211 administered the alcotest machine. Ptl. Fogarty assured that Hernandez's mouth was clear from any foreign objects and removed chewing gum from his mouth before conducting a direct twenty minute observation, in which all electronic devices were removed from the room. During this time Ptl. Fogarty read Hernandez the Miranda Warning and provided a copy in Spanish, to which Hernandez understood and signed indicating that he waived his rights. I also provided the NJMVC Standard Statement in Spanish via audio clip from the NJSP Division of Drug and Alcohol Testing web page. Ptl. Fogarty then conducted the alcotest machine, see supplemental report for further.

Hernandez provided sufficient breath samples which yielded a result of .18% BAC. Hernandez was then placed in the cell block while waiting for his sister, Aracell Hernandez to arrive. When Aracell arrived to Police Headquarters, I advised her of the Potential Liability Warning to which she signed off and was given a copy.

Hernandez was charged and served with the following upon his release:

NJSA 39:4-50; E19-004852
NJSA 39:4-96; E19-004853
NJSA 39:4-97; E19-004854

Additionally, my body worn camera was activated throughout the entirety of the investigation. Hernandez was searched on scene and a second time at Police Headquarters. The rear seat of my patrol vehicle was checked prior to and after transporting Hernandez to Police headquarters. My departmental issued firearm was secured prior to entering the cell block area. Standard 15 minute prisoner checks were conducted throughout Hernandez's custody and he was also screened for suicidal tenancies with negative results.

OfficerID: wvendrell, Narrative

On 8/8/2019 at 2256 hrs while on patrol in the area of Lanes Mill Road and Herborn Ave I observed a vehicle, NJ registration # K56LNY, exiting the Garden State Parkway ramp onto Lanes Mill Road at a high rate of speed and disregarding the yield sign. The vehicle then failed to maintain its lane crossing over into the left hand lane before returning to the right lane. I then activated my overhead lights and siren to initiate a motor vehicle stop of that vehicle. The vehicle did not immediately stop and continued for another approximate 20-30 seconds before stopping on Burnt Tavern Road just past The Boulevard. Ptl. Mancini #282 arrived as backup, later followed by Ptl. Bennett #279 and Ptl. Talty #303.

I then made contact with the driver who I identified as Caesar L. Hernandez. I identified myself and advised Caesar of the reason for the stop. When looking for his credentials Caesar appeared to be confused, he was fumbling the documents with his hands and was moving slowly. I observed Caesar's eyes to be bloodshot / watery and there was an odor of an alcoholic beverage coming from his breath. When asked if he had consumed any alcoholic beverages that day Caesar stated that he had consumed 5 Modelo beers.

Ptl. Mancini then took over the investigation on scene and spoke to Caesar. Ptl. Mancini then asked him to step out of the vehicle to perform several standardized field sobriety tests. (See Ptl. Mancini's report reference this case #) I assisted with Spanish translation during Ptl. Mancini's tests as Caesar began to state that he didn't understand the directions in English.

The first test I translated was the walk and turn (WAT). I explained and demonstrated the test to Caesar and when asked if he understood the test Caesar replied yes. I then instructed Caesar to begin. During the WAT I observed Caesar to be unable to walk heel to toe, step off the line, and took the incorrect number of steps.

The second test conducted was the One Leg Stand (OLS). I explained and demonstrated the test to Caesar who stated he understood the test but could not do it because his knee hurt. When asked which knee hurt Caesar stated his right knee. I told Caesar that he could attempt the test balancing with his left leg. During the OLS I observed Caesar to be unable to maintain his balance for more than three seconds having to place his foot back on the ground to prevent himself from falling over. Caesar also kept his hands away from his body for balance.

The third test conducted was the Horizontal Gaze Nystagmus (HGN) test. I explained the test to Caesar who stated he understood the test. During the HGN test I observed a lack of smooth pursuit in each eye, an onset of Nystagmus prior to 45 degrees in each eye and a distinct and sustained Nystagmus at maximum deviation in each eye.

OfficerID: dfogarty, Narrative

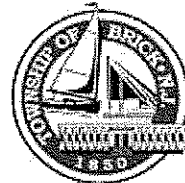
On 08/08/2019 at 2320 hours, I responded to police headquarters to operate the Alcotest for Ptl. Mancini #282 for at subject, Caesar Hernandez, in which he had in custody for driving while intoxicated.

Once at police headquarters, I operated the Alcotest 7110 MKIII-C machine and observed Hernandez in an excess of twenty minutes prior to administering the test. During the observation time, Hernandez remained under constant and uninterrupted observation. During which time there was no indication that Hernandez had anything in his mouth or had regurgitated. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, K9 vehicle transmitter etc.). Hernandez was read his Miranda Rights in English and given them also in Spanish to which he stated he understood and signed off on the waiver portion of the forms. I then read him the NJ D.U.I. Standard Statement form in English in which he stated "Okay." he would submit to samples of his breath for breath testing. Ptl. Mancini also provided Hernandez the NJMVC Standard Statement in Spanish via audio clip from the NJSP Division of Drug and Alcohol Testing web page. Hernandez answered "Si." he would submit samples of his breath for breath testing. During the administration of the test he was advised on how to conduct the test. A new, clean, sealed mouth piece was used for each test. The test was completed with a result of .18% B.A.C. Dispatch then entered the Alcotest breath sample results into the NJSP Alcotest Calculator in which the breath sample results were within acceptable tolerance.

Subsequently, Ptl. Mancini was advised of the results of the Alcotest (See DUI report).



Case Report Summary



Print Date/Time: 09/23/2019 13:22
Login ID: jsisco
Case Number: 2019-00050707

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00050707
Location: 1151 BURNT TAVERN RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0274 - Borden

Incident Type: DWI
Occurred From: 08/08/2019 23:37
Occurred Thru: 08/09/2019 23:56
Disposition: Cleared by Arrest
Disposition Date: 08/12/2019
Reported Date: 08/08/2019 23:37 Thursday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-50.2	Consent to taking of samples deemed given	1
3	State	2100	39:4-50.4a	Refusal to Submit to Chemical Test	1
4	State	6300	39:4-96	Reckless driving	1
5	State	6300	39:4-97	Careless driving	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	Ferguson, Diane Margaret	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Suspect	1	Ferguson, Joseph J	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51567 A	Ferguson, Joseph J	575 BURNT TAVERN RD BRICK TOWNSHIP, NJ 08724	08/08/2019 23:56	Probable Cause	

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Truck	2015	Chevrolet	Colorado	White	S73BBK	NJ

OfficerID: nborden, Narrative

On 08/09/2019 at approximately 2328 hours, I was patrolling the area of 1151 Burnt Tavern Rd. While stationary in the parking lot, I heard two male voices yelling at each other coming from the area of the intersection of Burnt Tavern Rd. and Lanes Mill Rd. I was unable to observe the commotion but within minutes, an unknown male pulled into the parking lot near my marked patrol vehicle and reported a white male driving a white pickup truck had just been involved in some sort of altercation in the intersection. It was reported that this vehicle had left the area traveling on Burnt Tavern Rd. toward Rt. 70.

While searching the area, I was dispatched to a report of the same incident with a possible intoxicated driver. The description of the vehicle given in the 911 call was the same reported by the male in the parking lot.

I observed a white Chevrolet Colorado bearing NJ registration S73BBK driving southbound on Burnt Tavern Rd. approaching the intersection of Rt. 70. I activated my overhead emergency lights and initiated a motor vehicle stop on said vehicle in the area of 575 Burnt Tavern Rd. (All American Auto).

Upon approaching, I observed a white male driver wearing glasses seated in the driver's seat of the vehicle. The driver is later identified as Joseph Ferguson. I identified myself as a Brick Police Officer and requested Ferguson's driver's license, registration, and proof of insurance. He initially handed me a plastic pouch containing various unknown paperwork and then continued searching for additional paperwork. I returned the plastic pouch to Ferguson and he located his driver's license and registration. However, he did not hand me these items, rather continued searching for his insurance card for the vehicle. I advised him I could see the insurance card in his hand behind the registration card. He fumbled the paperwork in his hands and then held it all in the air, seemingly confused. I again advised him the insurance card was in his hand.

While speaking with Ferguson, I could smell a strong odor of an alcoholic beverage emanating from inside the vehicle. I was unable to observe any open containers within the vehicle from my position at the driver's side window.

I advised Ferguson I was investigating a report of road rage which had occurred in the intersection of Burnt Tavern Rd. and Lanes Mill Rd. approximately five minutes earlier. I also advised a description of his vehicle was given as well as a registration which matched that which was on his vehicle. Ferguson alleged he had just come from work and was on his way home to Taft Dr. I asked where he worked and he stated, "Uhh...here." while pointing to his shirt. I was unable to read what was written on his shirt and asked him what it was. He then stated, "It's uhh.....telecommunications.....Verizon." There were long pauses between each word. I asked him if he had stopped anywhere between work and here and he stated, "Just Piscataway." I asked if he had anything to drink tonight and he stated, "Earlier." I asked "How much did you have to drink?" A elongated pause ensued. He then stated, "Really?" as if he was surprised at being asked this question. He then stated, "Three beers maybe at five or six o'clock tonight. Then I went from there to another site, did some work, and then came back. Then I came down here."

Ferguson's eyes appeared glassed over and red, indicative of alcohol consumption. His responses to my questions were slow and his speech was drawn out. He repeated himself several times stating, "I live right around the corner."

I asked Ferguson to step out of the vehicle in order to perform Standard Field Sobriety Tests. I advised him I would be conducting a few tests to determine if he was able to drive. I instructed Ferguson to move to an evenly paved area of the parking lot which was clear of any debris. I asked him if he had any injuries and issues with his body that would prevent him from completing the Standard Field Sobriety Tests. He stated, "I have to pee really bad." I again asked him if he had any injuries and he stated, "No."

Before checking Ferguson for any horizontal gaze nystagmus, I checked his eyes for equal tracking and found no irregularities. I instructed Ferguson to stand with his feet together and his hands down at his sides while I performed the first test.

Ferguson attempted to take the starting position, however, he repeatedly separated his feet and had to be reminded to keep his feet together. I performed a test for horizontal gaze nystagmus and found it prevalent in both his left and right eye. Nystagmus was also present at the onset of 45 degrees in both his left and right eye.

The second test I had conducted was the One Leg Stand. I asked Ferguson to remain in the starting position with his feet together and his hands down at his side while I explained and demonstrated the second test. Ferguson again had to be reminded to keep his feet together and he raised his hands more than six inches from his body for balance. I instructed him, after being told to begin the test, he should raise the foot of his choosing approximately 6 inches off the ground, pointing his toe forward and keeping his hands at his side and looking down at the raised foot. I instructed him to then count out loud from "one-one-thousand, two-one thousand, and so on until I say to stop." I demonstrated the test and asked Ferguson if he understood the instructions. He stated he did not understand and asked to repeat the instructions. I repeated them and again asked if he understood. He stated he understood and I advised him to begin.

He again reiterated, "I really have to pee." He then began the test. He attempted several times to lift one foot off the ground and was

unable to. He placed his foot down after raising it for approximately 1-2 seconds each time. He also raised his arms above six inches for balance each time he placed his foot back down. Before starting again multiple times, he was swaying.

I advised him we would begin another test. I instructed Ferguson, when told to begin the test, he would take nine heel-to-toe steps forward in a straight line, looking down at his feet, keeping his hands down at his sides, and counting each step out loud while he walked. On his ninth step he would take a small series of smaller steps to turn around and again take nine heel-to-toe steps forward in a straight line in the same manner. I began to demonstrate the test as I had explained it to him. I then asked him if he understood the instructions. He stated he understood and began.

Ferguson began taking steps forward. His first step touched heel-to-toe, however, none of the following steps touched. He stepped off to the side several times and stopped to steady himself. He started over from the beginning each time he stepped off the straight line. He raised his arms more than six inches several times as well.

Based upon the above observations and investigation, Ferguson was placed under arrest for suspicion of DUI. He was advised of such and was instructed to place his hands behind his back. He reluctantly complied. He was handcuffed via double lock mechanism and searched incident to arrest. He was transported to Brick Police Headquarters and processed as per departmental policy.

The white Chevrolet Colorado was impounded as per John's Law by Legacy Towing.

Ptl. Fogarty #211 arrived on location to assist in running the alcotest machine. The twenty minute observation period was initiated, during which time Ferguson was read his Miranda Rights. Ferguson refused to submit breath samples. See Ptl. Fogarty's report for further.

Based on the above observations and investigations, Ferguson was subsequently charged with DUI 39:4-50, 39:4-50.2, 39:4-50.4A, 39:4-96, and 39:4-97.

His wife, Diane Ferguson, responded to headquarters and signed the John's Law Potential Liability Form accordingly.

OfficerID: dfogarty, Narrative

On 08/09/2019 at 0009 hours, I was at police headquarters when Ptl. Borden #274 arrived with Joseph Ferguson who was under arrest for driving while intoxicated. Furthermore, she requested I operate the Alcotest 7110 MKIII-C machine for Ferguson. I entered the booking room and observed Ferguson in an excess of twenty minutes prior to administering the test. During the observation time, Ferguson remained under constant and uninterrupted observation during which time there was no indication that Ferguson had anything in his mouth or had regurgitated. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, K9 vehicle transmitter etc.). Ferguson was then read his Miranda Rights to which he stated he understood and signed off on the waiver portion of the form. I then read him the NJ D.U.I. Standard Statement form in which he stated "No." he would not submit to samples of his breath for breath testing. I then read him the secondary statement in which informs him his answer is not acceptable. Ferguson again stated "No." he would not submit to breathe testing.

Subsequently, Ptl. Borden was advised of Ferguson's refusal. (See DUI report)



Case Report Summary



Print Date/Time: 09/23/2019 13:23
Login ID: jsisco
Case Number: 2019-00051152

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00051152
Location: BRICK BLVD / CEDARBRIDGE AVE
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0267 - Melia
Incident Type: DWI
Occurred From: 08/10/2019 21:29
Occurred Thru: 08/10/2019 22:03
Disposition: Cleared by Arrest
Disposition Date: 08/11/2019
Reported Date: 08/10/2019 21:29 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Risberg, Karen Lynn	[REDACTED]	[REDACTED]	White	Female	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51574 A	Risberg, Karen Lynn	595 BRICK BLVD BRICK TOWNSHIP, NJ 08723	08/10/2019 22:07	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2003	SATURN	Ion	Black	NUV58S	NJ

OfficerID: jmelia, Narrative

On 08/10/19 at approximately 2129 hours Ptl. Scott #231, Ptl. Mesmer #292, Ptl. Taylor #302, Ptl. Marmer #304 and I responded to the intersection of Brick Blvd. and Cedarbridge Ave. in reference to an accident in the roadway (see Ptl. Scott #231's accident report for further information).

Upon arrival I spoke with the operator of one of the vehicle's involved in the crash, identified as Karen Risberg. Risberg was already out of her vehicle and leaning against a metal transformer. Brick Police EMS was also on scene and speaking with Risberg who had sustained a lump on her left arm as a result of the crash. I asked Risberg if the vehicle involved in the crash, which was still in the roadway, was hers and she stated yes (NJ registration NUV58S). I then asked Risberg what happened and she stated "I don't know, all of a sudden there was a crash I don't know if it was my fault". I asked Risberg which lane she was traveling in and she stated that she was going home, paused for several seconds and appeared to have lost her train of thought before stating that she lived off of Herbertsville Road. Risberg then stated she was traveling on Route 70 the entire way home though we were currently on Brick Blvd. While speaking with Risberg I detected the odor of an alcoholic beverage coming from her breath. I also observed her eyes appeared to be bloodshot and watery. Risberg's speech was slow and slightly slurred. Risberg had difficulty answering simple questions, specifically what had occurred during the crash. I asked Risberg if she had anything to drink and she stated "I had a couple wines". I asked Risberg how much wine she drank and she stated "two or three wines". I asked Risberg if she meant glasses of wine and she stated yes.

Ptl. Scott conducted HGN on Risberg who advised he received a total score of 6 out of 6 (see Ptl. Scott's incident supplement report for further information). While Ptl. Scott conducted HGN on Risberg I observed her continually swaying back and forth while leaning against the metal transformer for support. At this time Risberg advised she wished to be transported to Brick Hospital for further treatment for her injured left arm. Brick EMS escorted Risberg to their ambulance due to her being unsteady on her feet. As Risberg began walking she lost her balance prompting EMS to pull her arm in order for her to regain her balance. Risberg and EMS then continued to the ambulance and I observed Risberg staggering. Once in the back of the ambulance Risberg was placed into custody for driving while intoxicated. Risberg was not initially handcuffed due to her injury. Risberg was accompanied by Ptl. Marmer in the back of the ambulance and transported to Brick Hospital for further treatment. Ptl. Mesmer remained on scene with Risberg's vehicle which was later impounded by Route 88 Towing as per John's Law.

Upon arrival at Brick Hospital Risberg was treated for her injury and released a short time later. At approximately 2334 hours Risberg was placed in handcuffs by Ptl. Marmer, which were placed in front of her due to her injured left arm. Risberg was then placed in the rear of patrol vehicle #42 and transported to headquarters for processing.

Once at headquarters Risberg was placed into the booking room and the 20 minute face to face observation period was initiated while my BWC was activated. During the duration of the 20 minute observation period Risberg did not belch, vomit, or place anything in her mouth. Risberg was read her Miranda Rights and advised that she understood them. At the conclusion of my 20 minute observation all electronics were removed from the booking room (cell phones, portable radios, camera and BWC's). Risberg was read the NJ Implied Consent Form and agreed to provide breath samples. Two successful samples were collected, using two separate mouth pieces which were unopened. Risberg's samples resulted in a .17% BAC. Risberg's test results were placed into the NJ Alcotest Calculator which determined the samples were within acceptable tolerance.

After testing, Risberg was processed and photographed per department policy. Risberg was issued the following summonses: 39:4-50 E19-4896, 39:4-96 E19-4898 and 39:4-97 E19-4897 by Ptl. Marmer. Risberg's friend, Andrew Vitulano, responded to headquarters and was explained the potential liability form. Vitulano advised he understood, signed and was provided a copy of the potential liability form. Risberg was released from custody to the care of Vitulano without incident.

OfficerID: ssmith, Narrative

On 08/10/2019 at approximately 2129 hours I responded to a motor vehicle accident near the intersection of Brick Blvd and Cedarbridge Ave. Ptl. Melia #267 and Ptl. Marmer #304 were the primary investigating officers for the crash.

During the investigation it was discovered that one of the driver's, identified as Karen Risberg, appeared to have been operating her vehicle while impaired at the time of the crash. To assist Ptl. Melia with his investigation, I conducted horizontal gaze nystagmus tests on Risberg during the investigation.

Prior to conducting the actual tests, Risberg was treated by Brick Township Police EMS personnel at the scene. She did not appear to have any head injuries or trauma related to the accident. I asked Risberg if she had any pain or any head trauma and she stated she did not. I had Risberg remove her glasses and first checked her eyes for equal tracking or signs of injury. I did not detect any abnormalities.

For the test, I had Risberg stand facing me and facing away from any strobing or flashing lights. We were on an even and level patch of grass off of the roadway. I had Risberg remove her glasses and conducted the HGN test.

I detected a lack of smooth pursuit in each eye, distinct and sustained nystagmus in each eye, and the onset of nystagmus prior to 45 degrees in each eye.

As I conducted the HGN test I was also able to detect the scent of an alcoholic beverage coming from Risberg's breath as she spoke and exhaled in front of me. As she stood, I observed her sway heavily from side-to-side and front-to-back, occasionally using a nearby transformer for balance and support.



Case Report Summary



Print Date/Time: 09/23/2019 13:24
Login ID: jsisco
Case Number: 2019-00051219

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00051219
Location: BRICK BLVD / RT 70
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0288 - Hentges

Incident Type: DWI
Occurred From: 08/11/2019 01:17
Occurred Thru: 08/11/2019 01:17
Disposition: Cleared by Arrest
Disposition Date: 08/11/2019
Reported Date: 08/11/2019 01:17 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-89	Following to closely	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	BLACK, EDMUND L, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Suspect	1	Gathercole, Matthew Alan	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51576 A	Gathercole, Matthew Alan	BRICK BLVD / RT 70 BRICK TOWNSHIP, NJ 08723	08/11/2019 01:32	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2002	SUBARU	Forrester	White	M56HGJ	NJ

OfficerID: mhentges, Narrative

On 08/11/19 at 0120 hours I responded to the area of Brick Blvd and Rt. 70 for an accident. On arrival Both vehicles had pulled off of the side of the road and into the parking lot of Awards Of Brick (799 Brick Blvd).

The driver of the vehicle not at fault, black Hyundai sonata NJ reg ZPJ71L, walked directly up to my vehicle and advised me that he was stopped and that the traffic signal when the other vehicle, White Subaru Forester NJ reg M56HGJ struck the rear of the vehicle. The driver later identified as Edmund Black also stated that he believed that the driver of the Subaru had been drinking.

When I looked over at the driver of the Subaru, I observed him to be leaning up against his vehicle. I then identified myself, and requested the driver/arrestee, identified as Matthew Gathercole, to exhibit his driving credentials. I asked Gathercole what had happened and he stated that Black slammed on his brakes and he was unable to stop in time. While initially speaking with Gathercole, I immediately detected a strong odor of an alcoholic beverage emanating from his breath.

As Gathercole was retrieving his vehicle documents, I observed that his hand movements were very slow and fumbling. After handing me his driving credentials, I asked Gathercole where he was coming from and/or if he had consumed any alcoholic beverages. Gathercole stated he was driving home from his parents house and admitted to having several drinks while at said friend's house. As I continued speaking with Gathercole, I observed his speech was very slow and slurred. In addition, I observed his eyes were watery and bloodshot.

At that time, I asked Gathercole to perform field sobriety tests in which he, Gathercole, had no objection to. As Gathercole was walking towards the side of his vehicle, I observed he was swaying and sagging while walking. While Gathercole was standing by the side of his vehicle, I also observed that he was swaying while standing and his stance was very rigid. In addition, a very strong and overwhelming odor of an alcoholic beverage was emanating from Gathercole's breath while speaking to him outside his vehicle. When asked if he had any medical conditions which would prohibit and/or affect his ability to the taking of the field sobriety tests/examinations, Gathercole stated no. The field sobriety tests/examinations were conducted in a well lit, flat area free from any type of large cracks and/or debris.

The first examination administered was the Horizontal Gaze Nystagmus test. After explaining to Gathercole as to how to perform the examination, Gathercole had no questions at which time I administered the examination. While administering the test, I observed lack of smooth pursuit in both eyes and distinct and sustained nystagmus at maximum deviation in both eyes. While performing this test Gathercole had a hard time keeping his head still and constantly would take his eyes off of the stimulus.

The next examination conducted was the Walk and Turn test. While explaining and demonstrating the test, Gathercole continued to sway while standing and had much difficulty maintaining his balance while in the starting position. In addition, Gathercole kept starting the test before being instructed to begin. After I fully demonstrated and explained the examination, Gathercole had no questions and was instructed to begin. While performing the test, Gathercole failed to touch heel to toe on every step.

The final examination conducted was the One-Leg-Stand test. While explaining and demonstrating the test, I observed that Gathercole was swaying while standing in the starting position. Once I fully demonstrated and explained the examination, Gathercole had no questions and was instructed to begin. While performing the examination, Gathercole was swaying while his left leg was elevated, and put his foot down multiple times. Gathercole then tried with the right leg and again was unable to raise it for more than a few seconds before putting it back down.

Following the field sobriety tests/examinations, Gathercole was taken into custody (Handcuffs were double locked) and transported by me to Brick PD headquarters in patrol car #11 without incident. Ptl. Joaquim #271 remained at the scene and awaited Lepore's Towing Co. to respond and impound the vehicle under John's Law

Ptl. Docherty #275 responded to HQ, and operated the Alcotest 7110 MKIII-C machine (See Ptl. Docherty's supplemental report for further information). Prior to the Alcotest being administered the room was cleared of any unauthorized electronic devices (i.e., portable radios, cellular phones, etc.). At the conclusion of the Alcotest Ptl. Docherty advised me, Gathercole provided sufficient breath samples and his BAC was 0.13%.

Gathercole was issued the following summonses:

39:4-50 (E19-004899)
39:4-96 (E19-004900)
39:4-97 (E19-004901)
39:4-89 (E19-004902)

Gathercole was released a short time later to a family member/friend, William Gathercole, who signed and was given a copy of the potential liability form.

OfficerID: Kdocherty, Narrative

On 08/11/2019 at approximately 0137 hours I, Ptl. Docherty #275 responded to Headquarters in reference to a DWI arrest to operate the Alcotest 7110 MKIII-C for Ptl. Hentges #288 (Refer to his case report for further information, same case number). At 0155 hours Ptl. Hentges and I began a constant, uninterrupted observation of the suspect (Matthew Gathercole) in excess of twenty (20) minutes. During that time, our department issued body worn cameras were activated. This observation continued throughout our entire contact with Gathercole during which time he did not belch, regurgitate, vomit, or place any foreign objects inside his mouth. All portable electronic devices, including portable radios, and cell phones were removed from the booking room prior to testing.

I advised Gathercole of his Miranda rights, which he stated he understood and agreed to answer my questions. Gathercole then signed the Waiver portion of the form. I read Gathercole the NJ Attorney General's Standard Statement for Motor Vehicle Operators and he stated he would provide samples of his breath for chemical testing. After the 20 minute observation period ended I activated the Alcotest 7110. I entered Gathercole's information into the Alcotest and read him the standard instructions. Gathercole stated he understood and was able to provide two sufficient breath samples. Before each breath sample was provided I utilized a new mouthpiece (from a sealed plastic bag) to collect the breath samples from Gathercole.

Upon completion, his B.A.C.% was determined to be 0.13%. The results were provided to dispatch, who used the New Jersey State Police Alcotest Calculator to confirm the results were in acceptable tolerance.



Case Report Summary



Print Date/Time: 09/23/2019 13:30
Login ID: jsisco
Case Number: 2019-00051750

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00051750
Location: 989 BURNT TAVERN RD BLK
BRICK TOWNSHIP 08724
Reporting Officer ID: 0275 - Docherty
Incident Type: DWI
Occurred From: 08/13/2019 17:28
Occurred Thru: 08/13/2019 17:28
Disposition: Cleared by Arrest
Disposition Date: 08/13/2019
Reported Date: 08/13/2019 17:28 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-88B	Unsafe Lane Change	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Castellitto, Louis Gerard	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51584 A	Castellitto, Louis Gerard	989 BURNT TAVERN RD Brick Township, NJ 08724	08/13/2019 16:03	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Truck	2006	Chevrolet	Silverado	White	B86LJP	NJ

OfficerID: Kdocherty, Narrative

On 08/13/2019 at 1728 hours I, Ptl. Docherty #275 was dispatched to the area of the Buy Rite Liquor Store (989 Burnt Tavern Rd.) for a report of an intoxicated driver. As per the caller, there was a white colored Chevrolet pickup truck bearing NJ registration B86LJP swerving all over the roadway.

Upon arrival, I observed a white colored Chevrolet pickup truck bearing NJ registration B86LJP traveling north on Burnt Tavern Road. While traveling directly behind the suspect vehicle I observed the driver fail to maintain their lane of travel as they swerved back and forth from the fog line to the center traffic line. The driver then swerved across two lanes of travel without activating their left turn signal in the area of Burnt Tavern Rd. / The Boulevard.

After observing the above motor vehicle violations, I activated my emergency overhead lights to initiate a motor vehicle stop. The vehicle came to a complete stop in the driveway of 9 Browning Court, which is located in the Green Briar 1 Retirement Village. There I exited my patrol vehicle and made a driver side approach. As I reached the driver side window I made contact with the driver and lone occupant of the vehicle who was identified as Louis Castellitto. While speaking with Castellitto I observed his eyes to be bloodshot and watery. His speech was also slow as he stuttered and slobbered when he spoke. I further detected the odor of an alcoholic beverage emanating from his breath. I asked Castellitto if he had consumed any alcoholic beverages today and he initially stated "no". Castellitto voluntarily advised me that he had consumed his prescribed Xanax (Alprazolam) earlier in the day. During this time, I advised Castellitto to exit the vehicle and he complied. I further advised Castellitto I had observed him come from the area of the liquor store. Castellitto then related he had consumed one alcoholic beverage (Bud Light Platinum), which he purchased at the liquor store. Castellitto consumed the alcoholic beverage on location and then discarded it prior to leaving the parking lot. Ptl. Newlund #285 arrived on location to assist.

At the end of the driveway I advised him I was going to test him on a series of field sobriety tests. The below listed tests were explained and demonstrated by me and were performed on a flat level surface, in a well lit area free of debris. Prior to Castellitto performing the tests, I asked him if he had any type of injuries or disabilities that would affect him from performing any type of mental or physical tests to which he stated his right knee had a torn meniscus.

Alphabet Test: I asked Castellitto what his highest level of education was and if he understood the English language and its alphabet to which he stated "yes, high school". Castellitto was instructed to recite the letters in the alphabet from letters "B to O", without singing. Castellitto repeatedly interrupted me as I explained the directions to the test. Castellitto further stated he was unable to perform the test. Specifically, Castellitto stated he had "A.D.D." and was unable to complete the test.

Walk and Turn: Castellitto was instructed to stand with his hands at his sides and place his right foot in front of his left foot and stand in a heel to toe fashion, prior to him being given any further directions. Castellitto was instructed to take nine steps heel to toe counting aloud for each step, while keeping his hands at his sides. After his ninth step, he was instructed to plant his front foot and take a small series of steps to turn around in the other direction and take another nine steps heel to toe counting them aloud.

Castellitto was unable to stand with his hands at his sides in a heel to toe fashion as I explained the test. Castellitto immediately lost his balance and fell out of position as he almost fell to the ground. I had to stand in close proximity of Castellitto to prevent him from falling over. Castellitto continuously lifted his arms out past his sides in order to maintain his balance for the entirety of the test. None of Castellitto's first set of steps and second set of steps were in a straight heel to toe line. His feet faced different directions (inwards, outwards) as he took each of his steps. During his second set of steps he tripped, stumbled and fell out of position during step one. He also stopped after he completed his first set of steps and asked me "now I turn around". Upon completion, I asked Castellitto if he injured himself during the test and he stated, "No". Castellitto was unable to complete the test as instructed.

One legged stand: Castellitto was instructed to place his feet together and keep his arms by his sides. He was to raise his right leg six inches off of the ground in front of him without raising his arms for balance. Once in position, he was to count to thirty out loud by one thousands.

Castellitto stated he was unable to raise his right foot off of the ground due to prior injuries and I gave him permission to raise his left foot instead. Castellitto started the test by lifting his left foot off of the ground and dropped it back onto the ground within one second. Castellitto attempted to lift his left foot off the ground a second time and immediately dropped it back onto the ground. Castellitto then attempted to lift his right foot off the ground and dropped it onto the ground within four seconds. Castellitto swayed back and forth and raised his arms out past his sides to support his balance. Castellitto was unable to complete the test as instructed.

After totaling my observations, it was in my opinion that Castellitto was operating a motor vehicle while under the influence of alcohol and was subsequently placed under arrest for DWI. He was handcuffed to the rear, utilizing a double locking mechanism. A search of the vehicle for open containers of alcohol / intoxicants

revealed negative results. Castellitto was then seat belted in the rear compartment of patrol vehicle #24. Castellitto was transported to police headquarters, where he was booked and processed as per departmental policy. Ptl. Newlund remained on scene for Lepore's Towing to respond and impound the suspect vehicle as per Johns Law.

At 1813 hours S.O. Bolch #136 and I, began a constant, uninterrupted observation of Castellitto in excess of twenty (20) minutes. During that time, my department issued body worn camera was activated. This observation continued throughout our entire contact with Castellitto during which time he did not belch, regurgitate, vomit, or place any foreign objects inside his mouth. All portable electronic devices, including portable radios, and cell phones were removed from the booking room prior to testing.

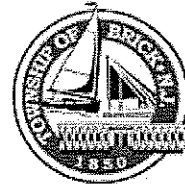
I advised Castellitto of his Miranda rights, which he stated he understood and agreed to answer my questions. Castellitto signed the Waiver portion of the form at 1820 hours. I read Castellitto the NJ Attorney General's Standard Statement for Motor Vehicle Operators and he stated he would provide samples of his breath for chemical testing. After the 20 minute observation period ended I activated the Alcotest 7110 MKIII-C. I then entered Castellitto's information into the Alcotest and read him the standard instructions. Castellitto stated he understood and was able to provide two sufficient breath samples. Before each breath sample was provided I utilized a new mouthpiece (from a sealed plastic bag) to collect the breath samples from Castellitto. Upon completion, his B.A.C.% (Blood Alcohol Content) was determined to be 0.17%. The results were provided to dispatch, who used the New Jersey State Police Alcotest Calculator to confirm the results were in acceptable tolerance.

Castellitto's friend, Denis Jaslow, arrived at headquarters in order to take responsibility of Castellitto. Jaslow was explained the Potential Liability Form. Jaslow then signed the form stating he understood the Potential Liability Form and accepted custody of Castellitto. He was then released from police custody and advised of his future court date. Upon release, Castellitto was issued the following motor vehicle summonses:

1. Driving while intoxicated: 39:4-50, E19-004949.
2. Reckless driving: 39:4-96, E19-004950.
3. Careless driving: 39:4-97, E19-004951.
4. Failure to maintain lane: 39:4-88b, E19-004952.



Case Report Summary



Print Date/Time: 09/23/2019 13:30
Login ID: jsisco
Case Number: 2019-00051824

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00051824
Location: HOLLY CT E / ASCHBY DR
Brick Township, NJ 08723
Reporting Officer ID: 0296 - Patrick

Incident Type: DWI
Occurred From: 08/14/2019 00:20
Occurred Thru: 08/14/2019 00:20
Disposition: Cleared by Arrest
Disposition Date: 08/14/2019
Reported Date: 08/14/2019 00:20 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:3-40	Driver's License or Registration Suspended	1
5	State	6300	39:3-10A	Expired License	1
6	State	6300	39:3-33	Improper Display - Fictitious Plates	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	Till, Stacy Marie	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Other	2	Till, Katelyn Ann	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Suspect	1	Celli, Gerard Joseph, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51592 A	Celli, Gerard Joseph, Jr.	HOLLY CT E / ASCHBY DR Brick Township, NJ 08723	08/14/2019 00:54	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2004	HUMMER	SANTA FE	Gray	E58HGJ	NJ

OfficerID: kpatrick, Narrative

On 08/14/2019 at approximately 0020 hours, I (Patrolman Patrick #296) was on patrol in marked patrol vehicle #01 in the parking lot of 380 Drum Point Road (Country Farm Grocery Store). During this time, I observed a 2004 gray Hyundai Santa Fe (NJ Registration: E58HGJ) traveling into the parking lot of 383 Drum Point Road (Wawa). The operator of the Santa Fe initially parked the vehicle in front of the store, and I observed him exit the vehicle and enter Wawa. Then I observed the operator exit the Wawa and reenter the driver seat of the Santa Fe. He drove the vehicle over to a different parking spot on the north side of the lot, directly next to a unidentified Honda Civic. The operator of the Santa Fe and an occupant from the Civic, both exited their vehicles and entered Wawa. After a couple minutes, both subjects exited the Wawa and reentered their respective vehicles. The Civic then traveled away from the scene. The Santa Fe was turned on, then off after a few seconds, a remained parked. Shortly thereafter, another unidentified Honda Civic entered the parking lot and parked two spaces away from the Santa Fe. The operator of this Civic exited her vehicle and approached the Santa Fe. The operator of the Santa Fe exited his vehicle and entered the rear passenger side seat, while the operator of the Civic entered the driver's seat. The Santa Fe turned on and exited the parking lot, traveling eastbound on Drum Point Road.

From my training and experience, my observations indicated there was reasonable suspicion a controlled dangerous substance (CDS) was being distributed in the Wawa Parking lot. Based on what I observed in the parking lot, I safely closed my distance to the Santa Fe. While traveling behind the Santa Fe, I observed it having a license plate bracket partially covering the lettering of the license plate (in violation of 39:3-33). After I observed these motor vehicle violations, I safely closed the distance to the suspect vehicle and initiated my emergency lights to conduct a motor vehicle stop at the intersection of Holly Court East and Aschby Drive.

I approached the Santa Fe on the passenger side and identified myself as a Brick Township Police Officer to the operator, identified as Katelyn Ann Till (Katelyn). Katelyn immediately handed me the vehicle's insurance and registration, but explained she left her driver's license her vehicle, still parked at Wawa. I asked Katelyn why she left her vehicle at Wawa, and she advised me the passengers inside the vehicle were drinking. The front passenger was identified as Stacy Marie Till (Stacy), and the rear passenger was identified as Gerard Joseph Celli, Jr (Celli), who was also the subject I observed operating the Santa Fe prior to Katelyn. When asked, both Celli and Stacy admitted to drinking alcoholic beverages. Stacy reported Celli drove the vehicle to Wawa from the 383 Adamston Road (VFW), which was where they were drinking. While speaking with the occupants, I detected a strong odor of alcoholic beverages emanating from inside the passenger compartment. I also observed both Celli's eyes and Stacy's eyes to be watery with constricted pupils.

I returned to my patrol vehicle to request dispatch to run a wants and warrants check for all the occupants inside the vehicle. While waiting for the results of the check, Patrolman Bennett #279 arrived on scene to assist me. I returned to the Santa Fe and requested Celli to step outside to the rear of the vehicle. I observed Celli stagger to the rear of the vehicle and detected the odor of alcoholic beverages emanating from his breath while he spoke with me. I then asked Celli why he moved from one parking spot to another, directly next to the unidentified Honda. Celli claimed it was because he forgot to buy cigarettes and went back inside Wawa to make another purchase. Celli stated it was coincidently he parked next to the Honda, and had no interaction with those occupants. I spoke with Stacy next, who confirmed the same story as Celli. I did not observe any signs of CDS inside the motor vehicle. Furthermore, both Stacy and Celli admitted again that Celli was operating the motor vehicle. The results of the check were negative.

After Dispatch advised me the wants and warrant check was negative, I advised Celli I would be conducting a series of field sobriety tests to determine if he was under the influence of alcohol while operating the motor vehicle, prior to Katelyn taking over operation. The tests were conducted on a flat, level ground, free of debris, at the rear of the Santa Fe.

The first test conducted on Celli was the Horizontal Gaze Nystagmus. Ptl. Bennett conducted this test and advised me Celli hit on all six points (See Supplemental Report with same case number by Ptl. Bennett).

The second test I conducted with Celli was the One-Legged-Stand test. Before conducting the test, I asked Celli if he had any prior medical history that would prevent him from standing on one leg. Celli stated he previously broke his left leg and had right ankle problems. I advised Celli I would take his medical history into account while he conducted his tests. Celli was first instructed to stand with his feet together and hands at his sides at all times, unless instructed to do otherwise. Celli was then instructed to raise his left foot six inches off the ground with his hands at his side, and start counting aloud by "One-Thousands" (I.E. "One One-Thousand," "Two One-Thousand," "Three One-Thousand"), until he was advised to stop, all while keeping his eyes on the toes of his lifted foot. After I finished explaining the test to Celli, he did not have any questions, and was advised to begin. During this test, I made the following observations:

- Celli began the test early, without being instructed to do so;
- He crossed his hands in front of him, and had to be reminded to maintain the instructed position;
- During his first attempt, and before he was able to start counting aloud, he raised his arms more than six (6) inches away from his body, and place his foot on the ground to prevent himself from falling;
- Attempt the test a second time, with similar results as the first;
- He swayed throughout the entire test;
- He was unable to complete the test, and had to be advised the test was concluded for his own safety.

The next field sobriety test I conducted was the Walk and Turn test. I instructed Celli to stand straight, hands at his sides, and place his left foot in front of his right foot while receiving instructions. I then instructed Celli to walk nine (9) heel-to-toe steps, counting each step aloud; then take a series of short choppy steps to turn around; and then walk nine (9) heel-to-toe steps back, counting each step aloud. After I finished explaining and demonstrating the test to Celli, he did not have any questions, and was advised to begin. During this test, I made the following observations:

- Unable to maintain the instructed position with stumbling over to his side, and spreading his feet wide apart to maintain his balance;

- Counted his first step aloud as "two;"

- He only took eight (8) during his first walk;

- He spun around instead of taking a series of short, choppy steps;

- He walked off the line during his walk back to the start;

- He stumbled and did not touch heel-to-toe throughout the test.

Based on my training, experience, and what was observed during and prior to the tests, I determined that Celli was under the influence of alcohol while operating a motor vehicle. This officer placed Celli under arrest utilizing the double-locking mechanism, following departmental policy, and he was searched incident to arrest. Celli was then placed in the back of patrol vehicle #01, and all of his property was placed in a department issued evidence bag and secured in the front seat of said patrol vehicle.

The Santa Fe was owned by Stacy, who gave permission for Katelyn to continue her operation of the vehicle. Since Katelyn was sober, no tow was required to impound the vehicle.

Celli was transported to Headquarters where he was placed on a bench in the booking room to begin his twenty-minute observation period. At 0127 hours, I witnessed Ptl. Bennett read Celli his Miranda Rights. Celli understood and waived his rights. Ptl. Bennett then read Celli the New Jersey Attorney General's Standard Statement for Motor Vehicle Operators, and Celli agreed to submit samples of his breath (See Supplemental Report with same case number by Ptl. Bennett).

Results of the chemical breath test showed Celli had a Blood Alcohol Content of 0.14%. It should be noted, the test results were within acceptable tolerance as per the State of New Jersey Alcotest Calculator.

After the Alcotest was conducted, Celli was booked and processed, following departmental policy. At 0248 hours, Celli was released to Katelyn, as per John's Law.

Celli was charged with the following:

- Driving While Intoxicated (39: 4-50) on Summons 1506-E19-004963

- Reckless Driving (39:4-96) on Summons 1506-E19-004964

- Careless Driving (39:4-97) on Summons 1506-E19-004965

- Driving while Suspended (39:3-40) on Summons 1506-E19-004966

- Driving with an Expired License (39:3-10A) on Summons 1506-E19-004967

- Unclear License Plate (39:3-33) on Summons 1506-E19-004968

Additionally, the entire incident was recorded utilizing my department issued body worn camera. I also conducted a check of the rear passenger compartment of Patrol Vehicle #01 prior to and after Celli was placed inside of it. My department issued firearm was secured prior to entering the cell area and processing room. Celli was searched again prior to being placed in a holding cell. Celli was screened for suicidal tendencies with negative results.

OfficerID: mbennett, Narrative

On 08/14/2019 I assisted Ptl. Patrick #296 on a motor vehicle stop on Aschby Dr near Holly Court. During the course of the stop it was determined that one of the occupants, Gerard Celli Jr, had been operating the vehicle and was under the influence of alcohol. At Ptl. Patrick's request, I conducted the Horizontal Gaze Nystagmus (HGN) test with Celli.

Prior to the test, I asked Celli if he wore glasses or contact lenses and he stated no. I asked if he had any issues with his eyes and he stated no. I then conducted the test. At the beginning of the test, I confirmed that both Celli's pupils were the same size and there was no resting nystagmus in either eye. I then checked for tracking ability which was present in both eyes. During the test, Celli's body swayed back and forth, and I detected the odor of an alcoholic beverage on his breath. I observed a lack of smooth pursuit in both eyes. I observed distinct and sustained nystagmus at maximum deviation in both eyes. I observed the onset of nystagmus prior to forty five degrees in both eyes. I did not observe any vertical nystagmus in either eye.

Ptl. Patrick conducted several other Standardized Field Sobriety Tests on Celli, and it was determined that he was impaired due to

alcohol. As a result, he was placed under arrest and transported to police headquarters by Ptl. Patrick. Upon arrival at headquarters, I assisted Ptl. Patrick in escorting Celli inside and securing him in the booking room. Once there, Ptl. Patrick and I removed our portable police radios and cellular phones and secured them in another room. I also confirmed there were no other portable electronic devices inside the room. After doing so, I visually confirmed that Celli had no foreign objects inside his mouth (i.e. gum, breathmints, etc.). I then began the twenty minute observation period of Celli at 0123hrs.

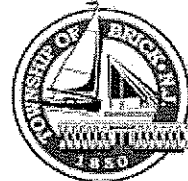
During the observation period, I read Celli the NJ Attorney General's Standard Statement for Motor Vehicle Operators form and he agreed to provide breath samples. I then read him his Miranda Rights at 0127hrs, and he agreed to speak with me. During questioning, Celli advised that he had approximately four Budweiser beers this evening and hadn't eaten anything. I noticed during the observation period that Celli's eyes were still watery and bloodshot, and his speech was slow and slurred. I also detected the odor of an alcoholic beverage inside the booking room.

At 0143hrs, I deactivated my body worn camera and handed it to Ptl. Patrick who removed it from the booking room. I then began entering Celli's information into the Alcotest Unit. I was then able to obtain two acceptable breath samples from Celli. His blood alcohol content was found to be 0.14%BAC. The results were provided to police dispatch who entered them into the Alcotest Calculator. The breath samples were found to be within the allowable tolerances. See Ptl. Patrick's case narrative for further details.

BWC video available.



Case Report Summary



Print Date/Time: 09/23/2019 13:31
Login ID: jsisco
Case Number: 2019-00052437

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00052437
Location: 428 CAROLE AVE
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0303 - Talty

Incident Type: DWI
Occurred From: 08/16/2019 17:25
Occurred Thru: 08/16/2019 17:58
Disposition: Cleared by Arrest
Disposition Date: 08/16/2019
Reported Date: 08/16/2019 17:25 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:3-40	Driver's License or Registration Suspended	1
4	State	6300	39:4-97	Careless driving	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	VAZQUEZ, RAYMOND J	[REDACTED]	[REDACTED]	Hispanic or Latino	Male	[REDACTED]
Suspect	1	Hardy, William L	[REDACTED]	[REDACTED]	Black	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51598 A	Hardy, William L	428 CAROLE AVE BRICK TOWNSHIP, NJ 08724	08/16/2019 17:58	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2002 JEEP	GRAND CHEROKEE	Blue	S64HWK	NJ

OfficerID: mbennett, Narrative

On 08/16/2019 I assisted Ptl. E. Talty #303 in acting as Alcotest operator for is DWI arrest of William Hardy. I assisted Ptl. Talty in securing Hardy in the booking room. I then removed my portable police radio and cellular phone and secured them in another room. I also confirmed that there were no other portable electronic devices in the booking room. After verifying that Hardy had no foreign objects in his mouth (i.e. gum, breath mints, etc.), I began the twenty minute observation period of him at 1833hrs.

During the observation period, I read Hardy his Miranda Rights. After doing so, I asked if he understood rights and he stated that he did. I then had Hardy print and sign the Miranda form. Next, I read him the NJ Attorney General's Standard Statement for Motor Vehicle Operators form and he agreed to provide breath samples. While completing the Drinking Driver Questionnaire with Hardy, he advised that he took one each of his prescribed Oxycodone and Gabapentin pills earlier this morning. He also stated that he drank one E & J Brandy "Shooter" and one Bud Ice beer prior to operating the vehicle. Hardy could not tell me, however, what time or where he was when he consumed the beverages. During the observations period, Hardy's speech was slow and slightly slurred. I also noticed his eyes were watery and bloodshot, and I detected the odor of an alcoholic beverage inside the booking room.

At 1853hrs, I deactivated my body worn camera and handed it to Special Officer Sean Capper who removed it from the booking room. I then began entering the required information into the Alcotest unit. It should be noted that while entering the information into the unit, I accidentally entered the incorrect case number (51824-19). I was able to obtain two acceptable breath samples from Hardy, and his blood alcohol content was found to be 0.18%BAC (sequential file #02905). The results were provided to police dispatch who entered them into the Alcotest Calculator. The readings were found to be within the allowable tolerances. See Ptl. Talty's case narrative for further details.

BWC video available.

OfficerID: etalty, Narrative

On 08/16/2019 at 1725 hours Ptl. Bennett #279, Ptl. Pacyna #287, and I Ptl. Talty #303, were dispatched to 428 Carole Road for a report of a motor vehicle accident involving two vehicles. Police dispatch advised the vehicles were still in the roadway, and there was a group of people arguing with the subject who hit the caller's vehicle.

Upon arrival, Ptl. Pacyna had already arrived on scene and was speaking with one of the parties involved. I approached a female (later identified as Roxanne Odonnell) who was standing next to one of the vehicles involved in the accident. Odonnell advised that she was the driver of one of the vehicles involved in the accident and was the one who called. Odonnell stated she was trying to make a left hand turn onto Martin Place from Carole Ave. She advised she stopped her vehicle as she saw a Blue Jeep Grand Cherokee driving in reverse on Martin Place towards the intersection where she was located. Odonnell stated she stopped and began to beep at the Jeep as she could see it was still backing up into her lane of travel. After she stopped, she stated the driver "gunned it" and crashed into the front of her vehicle with the rear of his vehicle. Odonnell explained she spoke with the driver (later identified as William Hardy) prior to police arriving and he stated he was having car trouble and that he was sorry. While speaking with Odonnell Hardy began walking up to us, and Odonnell identified him as the man who was driving the other vehicle.

I advised Hardy to speak with me and explain what had happened. After walking over to the vehicle in which he stated he was driving (NJ reg :S64HWK 2002 Blue Jeep Grand Cherokee), I asked Hardy to explain what had happened. Hardy explained he was backing the vehicle up in order to turn the vehicle around. Hardy stated he could hear the other vehicle blowing the horn but the vehicle he was driving wouldn't stop. Hardy further explained the vehicle's brakes are not working properly. Hardy reiterated that he was just trying to turn the vehicle around to park it back in front of the residence so it could be facing in the direction he was going to be leaving. Suddenly, Hardy then proceeded to show me the rear left tail light which was broken, randomly.

In speaking with Hardy further, I asked him to explain how he crashed into the other vehicle. Hardy stated he was backing the vehicle up to turn it around and that the vehicle was facing one way and it needed to be the other way in order to go home. It seemed as if Hardy was talking in circles, and it was difficult to understand what he was trying to explain to me. Hardy had tried explaining how the crash occurred and was giving me different accounts of what happened. Hardy gave conflicting accounts of which way the vehicle was parked prior to him getting into the vehicle. I then asked Hardy which direction the vehicle he was driving was facing. Hardy stated prior to him getting into the vehicle, the vehicle was facing towards Carole Avenue. I then asked him where he drove from there, and Hardy responded with "nowhere". Hardy explained to me that he drove in the opposite direction of where the crash occurred and pointed in that direction. Hardy then told me to just ask the other lady what had happened. I advised him I wanted his side of the story. While Hardy attempted to explain what had happened he continued to ramble and switch up his story as to how the crash occurred. I then asked Hardy if the vehicle he was driving was facing the opposite way of Carole Avenue when he got into it. Hardy stated that was correct. Hardy then explained he was backing up, heard the other vehicle beeping the horn but the vehicle couldn't stop due to the brakes. He then proceeded to drive down Martin Place, turn around and then park the vehicle.

Hardy attempted to show me that the brakes on the vehicle were not working. I then proceeded to try and explain what I thought had happened during the crash in order to confirm what I thought Hardy was trying to explain to me. After explaining what I thought had happened Hardy agreed with what I had said, looking at me and stating " yes ma'am". In speaking with Hardy, I detected an odor of an alcoholic beverage emanating from his breath when he spoke to me. I noticed his eyes were watery and bloodshot, and his speech was slow and slurred. My observations of Hardy, combined with his confusing explanation of the accident, I suspected that he was under the influence of alcohol while he drove the vehicle. I asked Hardy how much he had to drink today. Hardy stated what sounded to me like an "apple", I asked him again what he had to drink and he said "an apple". I again asked Hardy how much he had to drink today. Hardy now responded that he takes medication. Hardy explained that he takes Oxycodone and Gabapentin which he stated he took when he woke up around 11:00am or 12:00pm. I again inquired as to what Hardy had to drink, asking if he maybe had a beer or two. Finally, Hardy admitted he had one beer and a half of a shooter.

As a result of my observations, and Hardy's statements, I asked Hardy to do a series of field sobriety tests. Hardy and I walked to the rear of the vehicle and I asked him if he had any medical issues or injuries that would prevent him performing any tests. Hardy explained that he has a back problem stemming from him breaking it a couple of years ago. Hardy stated he uses a "stimulator" that connects to his belt which helps with his back. I asked Hardy if he would need the stimulator in order to complete these tests. Hardy stated he did not need it. Prior to administering the Horizontal Gaze Nystagmus test I again asked Hardy if he had any problems with his eyes. Hardy stated that he has Glaucoma, but had Lasik surgery done about a month ago. Hardy explained he has glasses but doesn't need them to drive. I then ran Hardy through the following Standardized Field Sobriety Tests:

HORIZONTAL GAZE NYSTAGMUS:

I advised Hardy to stand with his feet together and his hands at his sides. I advised Hardy to watch the tip of the pen keeping his head still and follow with his eyes only. Hardy acknowledged that he understood the directions. As I was about to begin the test, it appeared Hardy was looking at the bottom of the pen and not the tip of the pen where I was pointing to. I again instructed Hardy to look at the top of the pen. He then shifted his eyes up at the top and I began the test. I made sure Hardy's pupils were the same size and had equal tracking which they did. Hardy did not have any resting nystagmus in either eye. I observed a lack of smooth pursuit in both eyes. I observed distinct and sustained nystagmus at maximum deviation in both eyes for no less than four seconds. Prior to checking for the onset of nystagmus prior to 45 degrees, I again had to advise Hardy to watch the tip of the pen with his eyes and his eyes only keeping his head still. After continuing the test, I observed the onset of nystagmus prior to 45 degrees in both eyes for a period of no less than four seconds. I also observed vertical nystagmus in both eyes. Hardy's body swayed from side to side, and also from front to back for the duration of the test.

WALK and TURN:

Prior to me explaining the walk and turn test, Hardy stated he cannot balance. I advised Hardy the test involves walking and turning around. I asked Hardy if he can walk to which he stated he could. The test took place on the asphalt on Martin Place in an area that was level and clear of debris. I began to explain the test and explained to Hardy the starting position. I then advised Hardy to stand with his right foot in front of his left foot touching heel to toe with his hands down at his side. Hardy attempted to get into the starting position and began to start the test prior to me giving the directions. I attempted to instruct Hardy to get into the starting position several times and remain there, but Hardy continued to try and begin the test prior to being instructed to do so. Hardy was also putting his left foot in front of his right foot. Hardy then stated to me he couldn't do it. I asked Hardy if he would like to attempt the test to which he stated he did. Hardy then stated his back was hurt and he can't balance his body which is why he has the stimulator. I asked Hardy if he would like to put the stimulator on and he declined to do so, stating that it would not help him. I again asked Hardy if he would like to try the test to which he stated "yes". As Hardy got into position, he could not place his right foot completely in front of his left, as it was off to the side of his foot and not directly in front of it. After Hardy finally got into the correct starting position I explained the test to him. I instructed Hardy that from the starting position he was going to take nine heel to toe steps forward, take a series of small steps to turn around, and walk nine heel to toe steps back. I explained to Hardy that while taking the steps to make sure that each step is touching heel to toe, he is counting out loud, keeping his hands at this side, and looking at his feet. I then asked Hardy if he understood to which he stated he did. I then instructed Hardy to begin the test.

In taking his first step, Hardy began to take it and immediately fell backwards requiring him to place his left foot down behind him to prevent him from falling. After attempting to take his first step again, he placed his foot down off to the side of his left foot instead of directly in front of his right foot. on Hardy's fifth step, he lost total balance causing him to widen his stance out past his shoulders in order to not fall. Hardy took 10 steps forward, none of which were directly in a straight line. After turning around, Hardy's second step was not heel to toe and off to the side causing him to raise his arms to keep his balance. On Hardy's seventh step, he did not touch heel to toe and lost his balance stepping off of the line, causing him to raise his arms for balance. Hardy then took steps 8,9,and 10 without touching heel to toe.

ONE LEG STAND:

Based on Hardy's results of the walk and turn test, and the statements he made regarding his balance and the issues with his back, I decided not to do the one leg stand test.

ABC's

I then asked Hardy if he knew the English alphabet. Hardy stated he knew the English alphabet. I asked Hardy to say the alphabet beginning with the letter "B" and ending with the letter "O" without singing it. Hardy recited from the letter "B" all the way to "V" instead of "O". When he reached the letter "V", he suddenly began reciting the following letters: H, R, S, L, M, N, O, P.

Upon completion of the tests and based on the admission of Hardy consuming alcohol, his conflicting statements, and the results of the standard field sobriety tests I advised Hardy to turn around as I placed him in handcuffs using the double lock method and advised him he was being placed under arrest for driving while intoxicated. Hardy was then escorted over to my patrol vehicle where he was searched incident to arrest with negative results. After confirming the rear compartment was free of any debris or contraband, Hardy was secured in the compartment. Ptl. Bennett searched the Jeep Cherokee for any evidence of alcohol or other intoxicants. Ptl. Bennett located a small bag inside the vehicle containing Hardy's Oxycodone and Gabapentin pills. His Stimulator and cell phone were also located inside the vehicle, but no contraband was located. The pills, stimulator, and cell phone were all secured in the trunk of our patrol vehicle. Prior to leaving the scene, Ptl. Bennett went over to the Jeep and verified with the owner Raymond Vazquez that the brakes were in working order. Because Vazquez was on location, and was not intoxicated, the vehicle was turned over to him instead of being towed for John's Law. Ptl. Bennett and I then transported Hardy back to police headquarters while Ptl. Pacyna remained on scene to gather information for the accident report.

Upon arrival at police headquarters, Hardy was taken out of the back of the patrol vehicle. The rear of the patrol vehicle was again checked for any contraband or debris with negative results. I then escorted Hardy inside the police department, secured my duty weapon in one of the designated gun lockers, and then escorted Hardy into cell block one where he was further searched in accordance with departmental policy.

After being searched he was then escorted into the booking room and turned over to Ptl. Bennett for the observation period (see Ptl. Bennett Case supp for details).

Ptl. Bennett advised me Hardy's blood alcohol content was a .18%. After being booked and processed, Hardy was issued the following summonses:

E19 005016 for 39:4-50 (Driving Under the Influence of Alcohol and or Drugs)

E19 005017 for 39:4-96 (Reckless Driving)

E19 005014 for 39:4-97(Careless Driving)

E19 005015 for 39:3-40 (Driving while Suspended).

Hardy was served with his summonses and released to Nancy Bressan who arrived at headquarters and signed the potential liability form Acknowledging Receipt for Hardy. All other DWI paperwork was completed and filed.

BWC video available.



Case Report Summary



Print Date/Time: 09/23/2019 13:32
Login ID: jsisco
Case Number: 2019-00052880

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00052880
Location: CEDARBRIDGE AVE / TARGET
Brick Township, NJ 08723
Reporting Officer ID: 0296 - Patrick

Incident Type: DWI
Occurred From: 08/18/2019 21:32
Occurred Thru: 08/18/2019 21:37
Disposition: Cleared by Arrest
Disposition Date: 08/19/2019
Reported Date: 08/18/2019 21:32 Sunday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-88B	Unsafe Lane Change	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Desito, Alexandra M	[REDACTED]	[REDACTED]	White	Female	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51609 A	Desito, Alexandra M	CEDARBRIDGE AVE / TARGET Brick Township, NJ 08723	08/18/2019 22:00	Summons	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/19/2019	Evidence / Seized	Blood			One (1) Blood and Urine Specimen Kit containing blood and urine samples that were collected from defendant in a medically acceptable manner.	53175	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/19/2019 08:22	Type: Intake Code: Log In Tag Number: Remarks:	0296-Kyle Patrick		SP170-Frank Scelfo	
08/19/2019 14:55	Type: Release Code: O.C. Lab Tag Number: Expected Return Date: Remarks:	SP170-Frank Scelfo		ocean county lab	

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2009 TOYOTA	Camry	Silver	K20LGE	NJ



Print Date/Time: 09/23/2019 13:32
Login ID: jsisco
Case Number: 2019-00052880

Case Report Summary



ORI Number: Brick Township Police Department
NJ0150600

OfficerID: kpatrick, Narrative

On 08/18/2019 at approximately 2132 hours, Sergeant Gordon #237, Patrolman Haugh #217, and I (Patrolman Patrick #296) were all dispatched to the intersection of Cedarbridge Avenue and Target (570 State Highway 70), in reference to a single car motor vehicle accident (See NJTR Report with same case report number).

Upon arrival, I observed a 2009 silver Toyota Camry (NJ Registration: K20LGE) struck up against a tree, facing east in the wood line on the westbound side of Cedarbridge Avenue. I spoke to the operator involved in the motor vehicle accident outside of her vehicle, identified as Alexandra M. Desito (Desito). Desito had no visible signs of injury and denied being seen by a first aid squad.

According to Desito, she did not remember how her vehicle swerved from the right lane of travel on the eastbound side of Cedarbridge Avenue all the way into the woods on the westbound side of Cedarbridge Avenue. I requested Desito present me her Driver's License, while I retrieved her vehicle's insurance and registration from inside the vehicle's glove compartment. While investigating the scene of the accident, Desito admitted to consuming a couple alcoholic beverages prior to operating her motor vehicle. Additionally, I detected the odor of alcoholic beverages emanating from Desito's breath as she spoke with me, and I observed her eyes to be watery with droopy eyelids. Desito also appeared to be fatigued and spoke in a whisper.

Based on my observations of Desito, she was advised I would be conducting a series of field sobriety tests to determine if she was under the influence of alcohol while operating the motor vehicle. The tests were conducted on a flat, level ground, free of debris, in front of my patrol vehicle.

Before I began any tests, I asked Desito what time she thought it was. Desito stated it was about ten o'clock, and the actually time was 2154 hours.

The first test I conducted with Desito was the Alphabet test. Desito was instructed to stand with her feet together and hands at her sides at all times, unless instructed to do otherwise. I began by asking Desito what her highest level of education was. Desito advised me she completed some college, and confirmed she had a basic understanding of the English alphabet. Desito was then instructed to recite the entire alphabet, without grouping or singing the letters. I confirmed that Desito understood my instructions, and advised her to begin. Throughout the test, I made the following observations:

- Desito was swaying throughout the entire test;
 - She placed her hands on her head and began crying after reciting the letter "T;"
 - She was unsure of the final two letters of the Alphabet and took her an extended amount of time and a lot of concentration to recite the last two letters.
- After completing her recitation, I concluded the test.

The second test I conducted with Desito was the One-Legged-Stand test. Before conducting the test, I asked Desito if she had any prior medical history that would prevent him from standing on one leg. Desito stated she recently had a stroke. I advised Desito I would take her medical history into account while she conducted her tests. Desito was first instructed to stand with his feet together and hands at her sides at all times, unless instructed to do otherwise. Desito was then instructed to raise her left foot six inches off the ground with her hands at her side, and start counting aloud by "One-Thousands" (I.E. "One One-Thousand," "Two One-Thousand," "Three One-Thousand"), until she was advised to stop, all while keeping her eyes on the toes of his lifted foot. After I finished explaining the test to Desito, she did not have any questions, and was advised to begin. During this test, I made the following observations:

- Desito swayed throughout the entire test;
- On her first attempt, she raised her right foot and fell over to her left as she counted aloud to "Three One-Thousand;"
- She cried and explained that she was exhausted;
- She attempted the test a second time, with similar results as her first attempt;
- She was unable to complete the test, and had to be advised the test was concluded for her own safety.

The next field sobriety test I conducted was the Walk and Turn test. I instructed Desito to stand straight, hands at her sides, and place his right foot in front of her left foot while receiving instructions. I then instructed Desito to walk nine (9) heel-to-toe steps, counting each step aloud; then take a series of short choppy steps to turn around; and then walk nine (9) heel-to-toe steps back, counting each step aloud. After I finished explaining and demonstrating the test to Desito, she did not have any questions, and was advised to begin. During this test, I made the following observations:

- Desito was unable to maintain the instructed position with stumbling over to her side, and spreading her feet wide apart to maintain his balance;
- She raised her arms more than six (6) inches away from her sides;
- She started crying again;
- She walked off the line and stumbled to her right after taking her first two (2) steps;
- She was unable to complete the test, and had to be advised the test was concluded for her own safety.

Based on my training, experience, and what was observed during and prior to the tests, I determined that Desito was under the influence of alcohol while operating a motor vehicle. I placed Desito under arrest utilizing the double-locking mechanism, following departmental policy, and she was searched incident to arrest. Desito was then placed in the back of patrol vehicle #01, and all of her property was placed in a department issued evidence bag and secured in the front seat of said patrol vehicle.

Desito's vehicle was secured by Sgt. Gordon and towed by Glenn's Towing as per John's Law (impounded at Joe's Service Center), at 2205 hours.

Desito was transported to Headquarters where she was placed on a bench in the booking room to begin her twenty-minute observation period. Before the observation period began, Desito showed signs of extreme fatigue and complained she may have low blood sugar. Brick Township Emergency Medical Services (Squad 534) and MONOC Paramedics (Units 203 and 1) arrived on scene to assess Desito. It was determined Desito needed to be transported to Ocean Medical Center (OMC) for further medical assessment and treatment for issues related to her diagnosed diabetes.

Ptl. Haugh traveled to OMC with Desito, who was still in our custody at the time. Due to the fact Desito was in the hospital, she was unable to provide breath samples. As a result, I contacted the Ocean County Radio room at 2308 hours to begin the process for applying for a blood drawn warrant. After speaking with Assistant Prosecutor Andrew Lenbach and Judge James Gluck, I was granted the warrant at 2332 hours and was afforded two (2) hours to collect the sample in a medically acceptable manner. Judge Gluck provided me with his contact information to get the warrant signed at a later date.

At 0005 hours, Registered Nurse Ayala Drebin (Drebin) of Ocean Medical Center, withdrew a specimen of blood from Desito in a medically accepted manner. The samples of blood, in addition to a urine sample, were properly secured and later tagged before being placed into the evidence refrigerator located in the departmental intake room at Headquarters, following departmental procedures.

After her blood was drawn, I advised Desito of her Miranda rights, which she stated she understood and agreed to answer my questions. Desito then signed the Waiver portion of the form. During this time, I completed the Drinking Driver Questionnaire with Desito. She advised that she drank approximately "two and a half beers" at 1790 Swarthmore Avenue Lakewood (Icarus Brewing), and 1048 Cedarbridge Avenue (Rosalita's restaurant).

According to Drebin, the results of the blood test showed Desito had a Blood Alcohol Content of 0.011% at 0009 hours. It should be noted, the test results came almost three (3) hours after the accident on Cedarbridge Avenue occurred.

Desito was served her summons at the hospital, and at 0156 hours she was released from police custody to be turned over to hospital staff.

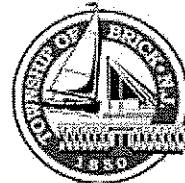
Desito was charged with the following:

- Driving While Intoxicated (39: 4-50) on Summons 1506-T-163062
- Reckless Driving (39:4-96) on Summons 1506-T-163063
- Careless Driving (39:4-97) on Summons 1506-T-163064
- Failure to Maintain Lane (39:3-88) on Summons 1506-T-163065

Additionally, the entire incident was recorded utilizing my department issued body worn camera. I also conducted a check of the rear passenger compartment of Patrol Vehicle #01 prior to and after Desito was placed inside of it. My department issued firearm was secured prior to entering the cell area and processing room. Desito was screened for suicidal tendencies with negative results.



Case Report Summary



Print Date/Time: 09/23/2019 13:32
Login ID: jsisco
Case Number: 2019-00053149

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00053149
Location: 57 PILOT DR
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0292 - Mesmer

Incident Type: DWI
Occurred From: 08/20/2019 03:26
Occurred Thru: 08/20/2019 03:26
Disposition: Cleared by Arrest
Disposition Date: 08/20/2019
Reported Date: 08/20/2019 03:26 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:8-1	Fail to inspect(diesel over 8,500 lbs exempt)	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Complainant	1	Considine, Robert	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Suspect	1	Leinen, Eric Christopher	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51613 A	Leinen, Eric Christopher	57 PILOT DR BRICK TOWNSHIP, NJ 08723	08/20/2019 03:42	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2012	NISSAN	Sentra	Gray	J56GHW	NJ

OfficerID: coliverio, Narrative

On 08/20/2019 at 0342, I (Ptl. Oliverio #286) responded to H.Q. to operate the Alcotest instrument, for Ptl. Mesmer #292. Ptl. Mesmer #292 advised me that he placed Eric Leinen under arrest for DWI.

I removed all electronic devices, and portable radios from the testing area in the booking room prior to breath testing. I read the N.J. Attorney General's Standard Statement for Motor Vehicle Operators, (N.J.S.A. 39:4-50.2e). At the conclusion and when asked to submit to breath samples, Leinen stated, "YES." I then monitored Leinen for twenty continuous minutes prior to breath samples to ensure that he did not regurgitate, burp, or place any foreign object in his mouth. I further did not observe any foreign objects or piercing's in Leinen's mouth.

At the expiration of the twenty minutes, I turned on the instrument and entered the required information, reviewed the data and proceeded with the breath samples. I then placed a new clean mouthpiece on the breath hose and read to Leinen verbatim from the placard on the wall in booking, "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?" Leinen stated, "Yes." For the second breath sample I again used a new clean mouthpiece and read to Leinen the same instructions verbatim off the placard on the wall. Leinen again said he understood and provided another breath sample. Both samples were analyzed by the Alcotest instrument which resulted in a .24% B.A.C. These readings were entered into the N.J.S.P. calculator and were found to be within acceptable tolerance.

It should be noted, my BWC was activated during the 20 minute observation period.

OfficerID: smesmer, Narrative

On 08/20/2019 at 0327 hours Patrolman Oliverio, Patrolman Hentges, and I (Patrolman Mesmer #292) were dispatched to 57 Pilot Drive for a report of a motor vehicle accident. While enroute, police dispatch updated responding units that a vehicle had drove into the caller's fence and the driver of the vehicle was out of the vehicle and appeared to be uninjured. The caller further advised police dispatch that it appeared as if the driver of the vehicle was intoxicated and he was now limping around the driveway.

Upon my arrival at the residence, I observed a gray Nissan Sentra bearing New Jersey registration J56GHW partially through a fence on the left hand side of the driveway to the caller's residence. I observed a large amount of debris all around the vehicle and three people were standing in the driveway. Two of the individuals identified themselves as residents of the home and the other male identified himself as the driver of the vehicle. The driver of the vehicle was later identified as Eric Leinen. (See Ptl. Hentges's accident report for further information on the crash)

At that time Patrolman Oliverio and Patrolman Hentges arrived on location to assist.

I then asked Leinen if he was injured and he advised me that he had a pre-existing injury to his right foot. I then requested to have Brick Police EMS respond to the scene to assess Leinen. As I began to speak with Leinen, I recognized a strong odor of an alcoholic beverage emanating from his breath and his persons. Leinen appeared to have trouble standing as he continued to sway and stagger. I observed Leinen's eyes to be red, watery, and droopy.

I then asked Leinen how the accident had occurred. Leinen advised that he was traveling straight down Baywood Blvd towards Pilot Dr. when he attempted to apply the brakes to his vehicle. He then stated that he was unable to stop his vehicle because the medical boot that he was wearing on his right foot obstructed his ability to apply his brake pedal. I then observed the boot that he was speaking of lying in the driveway next to his vehicle. I then asked Leinen if he wanted an ambulance since he was already under the care of a physician for his prior foot injury. Leinen then stated that he did not want an ambulance so I cancelled the Brick EMS response. As Leinen explained the events that had occurred, I observed his speech to be slow and slurred. I then asked Leinen for his identification, which he provided. I also asked Leinen where he was coming from and if he had consumed any alcohol prior to driving his vehicle. Leinen stated that he was coming from closing up work at Half Moon Point in Point Pleasant and he had one "Shot of tequila after work".

At that time I asked Leinen if his vehicle registration was inside of his glove box and he stated that it was. I then retrieved the registration and insurance card through the open passenger side door. Based on my observations thus far, I then asked for Leinen to walk from the driveway to the street so I could conduct a series of field sobriety tests on a level area that was free of debris.

The first test that was conducted was the Horizontal Gaze Nystagmus test by Patrolman Hentges. Patrolman Hentges then explained the test to Leinen and he advised that he understood the instructions. Patrolman Hentges then administered the Horizontal Gaze Nystagmus test. At the conclusion of the test, Patrolman Hentges advised me that Leinen exhibited all six out of six indicators

consistent with alcohol intoxication. Leinen had lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation, and the onset of nystagmus prior to 45 degrees in both eyes. During the course of this examination I observed Leinen to sway back in forth and struggle to keep his balance. Leinen also had a very tough time following the instructions given by Patrolman Hentges.

The second test that was conducted was the alphabet test. I first asked Leinen what his highest level of education was and he stated "High school". I then asked Leinen if he understood the English alphabet to which he replied "Si, yes". I then instructed Leinen to place both of his feet together and place his arms at his side while I explained the test, to which he complied. I instructed Leinen to recite the English alphabet starting with the letter "B" and ending with the letter "O" without singing it. I then asked Leinen if he understood the instructions and he stated "Si, yes". I then told Leinen that he may begin. Leinen started the test and stated "B,C,D,E,A,F, oh shit". He then stated "I can't do this". I asked him if he would like to attempt the test again and he replied "No".

The third test that I conducted was the One-Legged Stand. I then instructed Leinen to place his feet together and his arms at his side in the starting position while I explained and demonstrated the examination to him. I then advised Leinen that I understand that he had a prior injury to his right foot and that I would take that into consideration during the course of the test. I then explained the directions of the test to Leinen and I demonstrated the test for him. I then asked Leinen if he understood the directions to which he replied "Yes sir". I then instructed that he may begin the test. Leinen began the test and immediately lost his balance and nearly fell. I then told him that he may begin the test again. Leinen then began the test again and once again put his foot down, raised his arms, lost his balance, and nearly fell. At that time I ended the test for Leinen's safety and his inability to perform the test.

Based on my observations thus far and Leinen's inability to successfully complete the field sobriety tests, I then placed Leinen under arrest for driving under the influence utilizing the double-locking mechanism. Leinen was searched incident to arrest for any contraband which yielded negative results. The money that Leinen had in his wallet was counted in front of him and placed back in his front right pocket. Leinen was then secured in the rear seat of marked patrol vehicle # 09. I then searched the passenger compartment of Leinen's vehicle for any intoxicants, which was negative, but I located an empty cardboard twelve pack of "Twisted Teas".

Leinen was then transported to Brick Police Headquarters for processing without incident. The rear seat of marked patrol vehicle #09 was searched both before and after transport for any contraband which was negative. Patrolman Hentges remained at the scene and awaited Point Pleasant Towing Department to respond to the scene and impound the vehicle as per John's Law.

Patrolman Oliverio #286 responded to Police Headquarters, and operated the Alcotest 7110 MKIII-C machine (See Patrolman Oliverio's supplemental report for further information). Prior to the Alcotest being administered the room was cleared of any unauthorized electronic devices (i.e., portable radios, cellular phones, body worn cameras, etc.). At the conclusion of the Alcotest, Patrolman Oliverio advised me, Leinen provided sufficient breath samples and her BAC was 0.24%.

Leinen was issued the following summonses:

39:4-50 Driving Under the Influence (E19-5088)

39:4-96 Reckless Driving (E19-5089)

39:4-97 Careless Driving (E19-5090)

39:8-1 Failure to Inspect (E19-5091)

After processing, Leinen was released to his father, John Leinen (DOB 06/27/1961), who signed and was given a copy of the John's Law/ Potential Liability form.

During the course of this incident, my department issued body worn camera (serial # VHC2-015940) was activated through the entirety.



Case Report Summary



Print Date/Time: 09/23/2019 13:33
Login ID: jsisco
Case Number: 2019-00053297

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00053297
Location: RT 70 / RIVER RD
Brick Township, NJ 08724
Reporting Officer ID: 0235 - Caulfield

Incident Type: DWI
Occurred From: 08/20/2019 22:10
Occurred Thru: 08/20/2019 22:10
Disposition:
Disposition Date:
Reported Date: 08/20/2019 22:10 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-81	Disregard of any official traffic control device	1
5	State	6300	39:4-88B	Unsafe Lane Change	1
6	State	6300	39:3-29B	Failure to Exhibit Registration	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Cramer, Christopher Fredrick	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51618 A	Cramer, Christopher Fredrick	CHATHAM LN/ RIVER RD Point Pleasant Borough, NJ 08742	08/20/2019 22:28	On-View	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2017	FORD	F-150	White	XFST89	NJ

OfficerID: tcaulfield, Narrative

On 08/20/2019 at approximately 2210 hours, I, Ptl. Caulfield #235, was working a DUI grant detail (Over the Limit-Under Arrest) in patrol vehicle #34. While approaching the intersection of Route 70 E/River Road, I observed a 2017 white colored Ford F-150, bearing NJ registration XFST89, traveling south on River Road approaching the traffic signal for Route 70. As the vehicle approached said intersection, the traffic signal for River Road turned red at which time I observed the vehicle accelerate a high rate of speed and cross over Route 70 while the traffic light was red. The traffic signal had turned red prior to the vehicle crossing over Route 70 against the red traffic signal.

After the vehicle failed to observe the traffic signal, the vehicle continued south on River Road at which time I turned right onto River Road and got directly behind the vehicle. Immediately after turning onto River Road and getting behind the suspect vehicle, I observed the vehicle drift to the left causing the vehicle's front driver's side tires to cross over the yellow painted double lines in the roadway. At that time, I activated my vehicle's overhead emergency lights at which point the vehicle turned right onto Chatham Lane (Point Pleasant, NJ) and came to a stop.

Once the vehicle came to a stop, I approached the front driver's side window, identified myself, and requested the driver/suspect, identified as Christopher F. Cramer, to exhibit his driving credentials. As Cramer was retrieving said documents, I observed that his hand movements were slow and fumbling and a very strong odor of an alcoholic beverage was emanating from the cabin of the vehicle. While speaking with Cramer, I observed that his speech was slow, slurred, and raspy. In addition, his eyes were very watery, bloodshot, and eyelids were heavy and droopy. When asked where he was coming from and/or if he had consumed any alcoholic beverages, Cramer stated he was driving home from the boat marina located behind the River Rock Bar in Brick, NJ and stated that he had consumed a total of 4 beers tonight. Sgt. Dierking #204 and Ptl. Zolezi #269 arrived on scene moments later for assistance.

At that time, I had Cramer exit the vehicle in order to administer field sobriety tests in which he, Cramer, had no objection to. As Cramer was exiting his vehicle and walking towards the front of my patrol vehicle, I observed him swaying, sagging, and staggering while walking. While Cramer was standing in the street in front of my patrol vehicle, I observed that he was swaying while standing, his knees were sagging, and his stance was very rigid. In addition, a very strong odor of an alcoholic beverage was emanating from Cramer's breath while speaking to him outside his vehicle. When asked if he had any medical conditions which would prohibit and/or affect his ability to the taking of the field sobriety tests/examinations, Cramer stated, "No." The field sobriety tests/examinations were conducted in a well lit, flat area, free from any type of large cracks and/or debris.

The first test administered was the horizontal gaze nystagmus test. While explaining the test, Cramer stated that both of his eyes are "lazy." I attempted to administer the test however, due to his optical condition, I was unable to accurately score the examination due to his eyes not being able to track the stimulus equally.

The next examination conducted was the Walk and Turn test. While explaining and demonstrating the test, Cramer continued to sway while standing and had difficulty maintaining his balance while standing in the starting position. After I fully demonstrated and explained the examination, Cramer had no questions and was instructed to begin. While performing the test, Cramer failed to touch heel to toe on several steps, stopped walking on more than one occasion to steady himself, lost his balance while walking (Stepped off the line), used his arms for balance (Raised arms over six inches), lost his balance while turning (Began to stagger), turned incorrectly (Failed to keep his lead foot on the ground), and took the incorrect number of steps during both sets of steps (Cramer took ten steps instead of nine during both sets of steps).

The final examination conducted was the One-Leg-Stand test. While explaining, and demonstrating, the test I observed that Cramer was swaying while standing in the starting position. In addition, Cramer lost his balance in the starting position and also started the examination before being told to begin. Once I fully demonstrated and explained the examination, Cramer had no questions and was instructed to begin. While performing the examination, Cramer was swaying while his right foot was elevated, used his arms for balance (Raised arms over six inches), and also put his right foot down on more than one occasion. In addition, Cramer only had his right foot elevated approximately three inches off the ground while performing the test and didn't have both legs fully extended out. Following the field sobriety tests/examinations, Cramer was taken into custody (Handcuffs were double locked) and was transported by me to Brick PD headquarters in patrol vehicle #34 without incident. Prior to placing Cramer into my patrol car, I inspected the rear seat of my patrol vehicle which yielded negative results/findings. I also inspected Cramer's oral cavity which yielded negative results. A search of Cramer incident to his arrest also yielded negative results for any items of evidentiary value. Ptl. Zolezi remained on scene and awaited Legacy Towing Co. to respond and impound the vehicle under John's Law.

Once at police headquarters, Cramer was escorted inside police headquarters without incident. A check of my patrol vehicle's rear seat yielded negative result/findings. Upon entering Brick PD headquarters, Cramer was escorted into the prisoner processing room and my duty weapon was locked and secured inside a designated gun lock box located in the watch commander's room. I then inspected Cramer's oral cavity inside police headquarters which yielded negative results/findings. Cramer was read his Miranda Rights and signed off on the waiver portion of the form (Waived his rights). I then read Cramer the NJ D.U.I. Standard Statement form (Implied Consent) in which he agreed to submit samples of his breath.

I operated the Alcotest 7110 MKIII-C machine and also observed Cramer for twenty minutes (Twenty minutes were managed utilizing my personal wristwatch) prior to administering the test. During said observation time, Cramer remained under constant and uninterrupted observation until the administering of the Alcotest machine was fully complete. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, etc.). Cramer provided sufficient breath samples

and his BAC was 0.19%. I then entered the Alcotest breath sample results into the NJSP Alcotest Calculator in which the breath sample results were within acceptable tolerance. Furthermore, a new mouthpiece was used each time Cramer provided a breath sample into the Alcotest machine.

Cramer was processed, as per department policy, and issued motor vehicle summonses for 39:4-50 (1506-E19-5116), 39:4-96 (1506-E19-5117), 39:4-97 (1506-E19-5118), 39:4-81 (1506-E19-5119) 39:4-88B (1506-E19-5120), and 39:3-29B (1506-E19-5121). Cramer was released a short time later to a friend, Jeffrey B. Maves, who signed and was given the original copy of the Potential Liability form. Furthermore, Cramer was given a copy of the Alcohol Influence Report from the Alcotest machine. BWC#015501 video available.



Case Report Summary



Print Date/Time: 09/23/2019 13:34
Login ID: jsisco
Case Number: 2019-00053902

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00053902
Location: 1279 SALLY IKE RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0303 - Talty

Incident Type: DWI
Occurred From: 08/23/2019 18:24
Occurred Thru: 08/23/2019 18:24
Disposition: Cleared by Arrest
Disposition Date: 08/23/2019
Reported Date: 08/23/2019 18:24 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-51b	Open or unsealed alcoholic beverage in vehicle	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	LABRUNO, MEGAN	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Suspect	1	Labruno, Craig Matthew	[REDACTED]	[REDACTED]	White	[REDACTED]	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51629 A	Labruno, Craig Matthew	HERBERTSVILLE RD / RT 70 Brick Township, NJ 08724	08/23/2019 18:51	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/23/2019	Evidence / Seized	Other			3 pills of sildenafil found on arrestee who stated pills are perscribed to him.	53273	1
08/23/2019	Evidence / Seized	Audio/Visual			DVD containing photo of open container of alcohol found in vehicle of arrestee and picture of 3 pills of sildenafil	53272	1



Case Report Summary



Print Date/Time: 09/23/2019 13:34
Login ID: jsisco
Case Number: 2019-00053902

ORI Number: Brick Township Police Department
NJ0150600

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/23/2019 21:07	Type: Intake Code: Log In Tag Number: Remarks:	0285-Christopher Newlund	Officer	0285-Christopher Newlund	Officer
08/26/2019 05:58	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0303-Erik Talty		SP170-Frank Scelfo	

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/23/2019 21:02	Type: Intake Code: Log In Tag Number: Remarks:	0285-Christopher Newlund	Officer	0285-Christopher Newlund	Officer
08/26/2019 06:00	Type: Release Code: TOT Property Officer Tag Number: Expected Return Date: Remarks:	0303-Erik Talty		SP170-Frank Scelfo	

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2017 Chevrolet	TRAVERSE	Blue	D25HBF	NJ

OfficerID: etalty, Narrative

On 08/23/2019 at 1824 hours Ptl. Theibault #258, Ptl. Newlund #285, and I (Ptl. Talty #303) responded to the area of Herbertsville Rd. and Sally Ike Rd. for a motor vehicle complaint. The caller advised there was a blue Chevrolet Traverse failing to maintain lane of travel and had hit a curb. Prior to the caller hanging up the caller advised dispatch the driver had pulled into the driveway of 1279 Sally Ike Road.

Upon my arrival in front of 1279 Sally Ike Road I noticed a blue Chevrolet Traverse bearing NJ Reg D25HBF in the driveway of 1279 Sally Ike Road with its reverse lights on. Upon exiting the patrol vehicle Ptl. Newlund and I approached the vehicle and began to speak with the driver. Ptl. Newlund advised me the driver had stopped backing up, put the vehicle in drive, pulled forward approximately one foot and then turned off the vehicle. The driver, later identified as Craig Labruno, was asked to step out of his vehicle. As Labruno stepped out of his vehicle he had chinese food all over his shirt and looked disheveled. As Labruno stepped out of the vehicle without being asked any questions he stated " I was not driving". He then stated he had some food and that he was good. Labruno continued to state that he was not driving. Labruno's speech was slurred and was mumbled to the point of it being hard to understand what he was saying. At this point I could detect the odor of an alcoholic beverage emanating from Labruno when he spoke. Labruno was asked what he was doing at the residence and why he parked in this driveway, to which he replied that he has friends that live at the residence.

After Labruno stated he was not driving, and he had to be repeatedly told to take his hands out of his pockets. Labruno was asked for his identification; he checked his person and he was unable to produce or provide it's location.. After Labruno stood there for a couple of seconds I asked him if he had friends who lived at the residence of 1279 Sally Ike Road. Labruno explained that he had no idea where he was and that he didn't have any drinks and had a late night.

Labruno continued to put his hands in his pockets and I advised Labruno to place his hands behind his back and that he was not under arrest. I explained to him that he was just being patted down for any weapons as he would not listen to me to keep his hands out of his pockets. While I patted down Labruno I came across what appeared to be a prescription pill bottle which was located in his front left pocket. I asked Labruno if he was on any medication which he stated he was on Xanax.

After I patted Labruno down, he voluntarily took out the pill bottle and handed it over. I observed the prescription pill bottle without a label on it containing three unidentified pills. Labruno stated he picked up the Xanax today all while slurring his speech and not forming complete sentences, one of the sentences he stated "I Xanaxed myself". Labruno again began to explain that he was not driving and that he was not drinking. I then began to do a walk around of the vehicle while Ptl. Newlund stood by with Labruno. I noticed minimal damage on the front passenger side wheel well which could be consistent with striking a curb, I also noticed an open container of what appeared to be an alcoholic beverage sitting in the cup holder of the center console. After walking to the other side of the vehicle and back I could hear Ptl. Newlund and Labruno speaking. Labruno stated he was not driving and he was not going to be drinking anymore and when Ptl. Newlund ask who lives at the residence whose driveway he parked in he stated " I don't know actually".

Labruno was then asked if he would perform some field sobriety tests since he was driving. Labruno explained that his uncle is the Chief of Police in Hoboken. Ptl. Newlund asked where his uncle lives to which Labruno stated Hoboken New Jersey in a slurred manner of speech. Labruno began to explain he had something to drink and drove and then decided to pull over because he didn't want to get in trouble. In speaking further with Labruno he stated he knew he had been drinking and then pulled over because he didn't want to get in trouble. While Labruno was speaking throughout the investigation he was slurring his speech constantly, his eyes were watery, he was swaying back and forth and side to side, and had used the vehicle to lean on to keep his balance.

I advised Labruno that since he was driving and admitted to having several drinks and the odor of an alcoholic beverage emanating from his breath I was going to ask him to perform some field sobriety tests. I asked Labruno if he would like to try and perform the tests which he replied " I'd rather not". Labruno was again given a second chance to try and perform the standard field sobriety tests which he again refused to. Labruno again lied to officers and stated he pulled over in the driveway hours ago. Based on the facts of the investigation and Labruno's slurred speech, unable to complete full sentences, swaying while standing still and using the vehicle to hold himself up, Labruno was placed under arrest for 39:4-50 (Driving While intoxicated).

Labruno was searched incident to arrest and then escorted over to the rear compartment of the Patrol vehicle. The rear compartment was checked and clear of any debris or contraband and then Labruno was placed in the rear compartment. Ptl. Theibault remained on scene for the tow company (Brick Performance) to tow the vehicle for John's Law. Labruno was then transported to Headquarters. Upon arrival at headquarters Labruno was taken out of the rear compartment was checked again for debris or contraband with negative results. After escorting Labruno into the department I secured my duty weapon in one of the designated gun lockers and then escorted Labruno into booking cell #1. Labruno was then further searched with negative results and then brought into the booking room for processing in accordance with departmental policy, Labruno was cited with the following:

39:4-50 (T-163072)

39:4-96 (E19-005171)

39:4-97 (E19-005172)

39:4-51B (E19-005173)

Ptl. Fogarty #211 arrived to assist in the booking process and operate the breath test (see Ptl. Fogarty's supplemental report). The Breath tests revealed Labruno to have a B.A.C of .10%.

Megan Labruno responded to police headquarters for Labruno. A Potential Liability Form was completed and signed by Megan. Megan was given her copy of the form. The Xanax in which Labruno stated he was prescribed was identified as Sildenafil (Viagra). Labruno never stated he was prescribed Sildenafil and when asked by Ptl. Newlund he stated they were not his. I took the Sildenafil pills and placed them into property to be destroyed.

OfficerID: dfogarty, Narrative

On 08/23/19 at 1901 hours, I responded to police headquarters in reference to a suspicious driver in which Ptl. Erik Talty #303 had in custody for driving while intoxicated.

Once at police headquarters, I operated the Alcotest 7110 MKIII-C machine and observed the driver, Craig Labruno, in an excess of twenty minutes prior to administering the test. During the observation time, Labruno remained under constant and uninterrupted observation. During which time there was no indication that Labruno had anything in his mouth or had regurgitated. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, K9 vehicle transmitter etc.). I read him his Miranda Rights to which he stated he understood and signed off on the waiver portion of the form. At 1927 hours, Labruno burped and the 20 minute observation period was restarted. I then read him the NJ D.U.I. Standard Statement form in which he stated "Sure....Yes." he would submit to samples of his breath for breath testing. Labruno then began second guessing his answer and he was read the additional statement portion of the Standard Statement. Labruno answered "I guess...Yes." During the administration of the test he was advised on how to conduct the test. A new, clean, sealed mouth piece was used for each test. The test was completed with a result of .10 % B.A.C. Dispatch then entered the Alcotest breath sample results into the NJSP Alcotest Calculator in which the breath sample results were within acceptable tolerance.

Ptl. Talty was advised of the results (see D.U.I. report).



Case Report Summary



Print Date/Time: 09/23/2019 13:35
Login ID: jsisco
Case Number: 2019-00054137

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00054137
Location: 676 THIELE RD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0303 - Talty

Incident Type: DWI
Occurred From: 08/24/2019 19:16
Occurred Thru: 08/24/2019 19:16
Disposition: Cleared by Arrest
Disposition Date: 08/24/2019
Reported Date: 08/24/2019 19:16 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-129	Leaving the scene of accident	1
5	State	6300	39:4-130	Failure to report accident	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	1	LOPES, NIGEL L	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Other	2	Maldonado, Allison Leigh	[REDACTED]	[REDACTED]	White	Female	[REDACTED]
Suspect	1	Maldonado, George D, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51632 A	Maldonado, George D, Jr.	676 THIELE RD BRICK TOWNSHIP, NJ 08724	08/24/2019 19:27	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2002	HONDA	Accord	Silver	T18JBF	NJ

OfficerID: dfogarty, Narrative

On 08/24/19 at 1936 hours, I responded to police headquarters in reference to motor vehicle accident in which Ptl. Erik Talty #303 had the driver in custody for driving while intoxicated.

Once at police headquarters, I operated the Alcotest 7110 MKIII-C machine and observed George Maldonado Jr. in an excess of twenty minutes prior to administering the test. During the observation time, Maldonado remained under constant and uninterrupted observation. During which time there was no indication that Maldonado had anything in his mouth or had regurgitated. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, K9 vehicle transmitter etc.). Maldonado was read his Miranda Rights to which he stated he understood and signed off on the waiver portion of the form. I then read him the NJ D.U.I. Standard Statement form in which he stated "Yes, Sir." he would submit to samples of his breath for breath testing. During the 20 minute observation period Maldonado coughed up in his mouth at 2016 hours and the 20 minute observation period was restarted. At 2031 hours, Maldonado burped in his mouth and the 20 minute observation period was again restarted. The test was then started after an excess of twenties. During the administration of the test he was advised on how to conduct the test. A new, clean, sealed mouth piece was used for each test. The test was completed with a result of .15 % B.A.C. Dispatch then entered the Alcotest breath sample results into the NJSP Alcotest Calculator in which the breath sample results were within acceptable tolerance. Ptl. E. Talty was advised of the results (See DWI report).

OfficerID: etalty, Narrative

On 08/24/2019 at 1916 hours Ptl. Ulman #215, Ptl. Pacyna #287, and I, Ptl. Talty #303, were dispatched to the area of 676 Thiele Road for a one car motor vehicle crash which struck a mailbox. The caller stated the vehicle was a Silver Honda and that the vehicle was on the side of the road and a subject was changing the vehicle's tire.

While driving down Thiele Road I observed a Silver Honda Accord bearing NJ reg: T18JBF that had pulled onto the side street of Turkey Point Road with four subjects standing around the vehicle, in the process of changing the tire. In speaking with the subjects Ptl. Ulman asked who was driving the motor vehicle. The male sitting on the ground, later identified as George Maldonado Jr, stated that he was driving. Ptl. Ulman asked to speak with him away from the other subjects. While speaking with Maldonado Jr, I could detect a strong odor of an alcoholic beverage emanating from his breath when he spoke. Maldonado Jr was again asked who was driving the vehicle to which he stated " It was me".

Maldonado Jr was then asked how much he had to drink to which he stated "a decent amount". After Maldonado Jr admitted to driving, and the odor of an alcoholic beverage on his breath, he was asked to perform the standardized field sobriety tests. Maldonado Jr agreed to perform the tests. I escorted Maldonado Jr over to a level surface on Turkey Point Road which was free and clear of debris. I asked Maldonado Jr if he had any issues with his eyes or any injuries to his feet or legs to which he stated he does not. I then administered the following Standard Field Sobriety Tests:

Horizontal Gaze Nystagmus:

I advised Maldonado Jr to stand with his feet together, hands at his sides and while keeping his head still, watch the tip of my pen with his eyes and his eyes only. Maldonado Jr stated he understood, I then began the test checking his pupils for equal size and equal tracking. I did not observe any resting Nystagmus in either of Maldonado Jr's eyes. I also observed the lack of smooth pursuit in both eyes. I observed distinct and sustained Nystagmus at maximum deviation in Maldonado Jr's left eye but not his right. I did not observe the onset of Nystagmus prior to 45 degrees in either eye. While conducting the test, Maldonado Jr was swaying from front to back and side to side.

Walk and Turn:

I instructed Maldonado Jr to place his left foot down with his right foot in front of his left touching heel to toe. Maldonado Jr proceeded to put his left foot in front of his right foot. I advised Maldonado Jr to put his left foot down on the ground and place his right foot in front of his left touching heel to toe. Maldonado Jr then rearranged his feet in the proper order. Maldonado Jr was swaying back and forth while listening to instructions. After giving Maldonado Jr instructions for the walk and turn test, he stated he understood the instructions and began the test. while performing the test Maldonado Jr did not touch heel to toe on several steps, lost his balance by stepping off of a straight line, and turned incorrectly.

One Leg Stand:

I instructed Maldonado Jr to stand with his feet together and his hands at his sides. After giving Maldonado Jr instructions for the One Leg Stand he began the test. Maldonado Jr started to lose his balance and steadied himself by repositioning his body and moving

his raised leg. He also had to hop to keep his balance.

Upon completion of the tests and based on the admission of Maldonado Jr consuming alcohol, and the results of the standard field sobriety tests I advised Maldonado Jr to turn around. I then placed him in handcuffs using the double lock method and advised him he was being placed under arrest for driving while intoxicated. Maldonado Jr was then escorted over to my patrol vehicle where he was searched incident to arrest with negative results for any contraband. After confirming the rear compartment was free of any debris or contraband, Maldonado Jr was secured in the compartment.

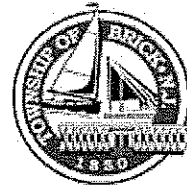
Ptl. Pacyna remained on scene until the vehicle's tire was changed and advised me he would be completing the NJTR-1 crash report. Due to the registered owner being on scene the vehicle was turned over to the registered owner (Nigel Lopes). Ptl. Ulman and I then transported Maldonado Jr to police headquarters. After arriving Maldonado Jr was taken out of the patrol vehicle where the rear compartment was again checked for contraband with negative results. Maldonado Jr was then escorted into headquarters where he was booked and processed in accordance with departmental policy. Ptl. Fogarty #211 arrived at police headquarters and performed the breath test on Maldonado Jr (see supplemental report for details). Maldonado Jr was cited for the following violations:

T-163073 (Driving While Intoxicated)
T-163074 (Reckless Driving)
T-161828 (Careless Driving)
T-161829 (Leaving the scene of an Accident)
T-161830 (Failure to Report Accident)

Maldonado Jr was given copies of his summons and was released to his wife (Allison Maldonado). Allison signed the Potential Liability Waiver and was given the original after making a copy for our records.



Case Report Summary



Print Date/Time: 09/23/2019 13:36
Login ID: jsisco
Case Number: 2019-00054163

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00054163
Location: RT 70 / JACK MARTIN BLVD
BRICK TOWNSHIP, NJ 08724
Reporting Officer ID: 0276 - DeLuca

Incident Type: DWI
Occurred From: 08/24/2019 21:24
Occurred Thru: 08/24/2019 22:52
Disposition: Cleared by Arrest
Disposition Date: 08/24/2019
Reported Date: 08/24/2019 21:24 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-88B	Unsafe Lane Change	1
3	State	6300	39:4-126	Failure to signal turn	1
4	State	6300	39:4-96	Reckless driving	1
5	State	6300	39:4-97	Careless driving	1
6	State	6300	39:3-29B	Failure to Exhibit Registration	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Ribeiro, Talles Gabriel	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51635 A	Ribeiro, Talles Gabriel	RT 70 / JACK MARTIN BLVD BRICK TOWNSHIP, NJ 08724	08/24/2019 21:37	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Trailer					TVR82B	NJ
2	Suspect Vehicle	Truck	2011	FORD	F350		J59JKM	NJ

OfficerID: pcatalina, Narrative

On 08/24/19 at approximately 2122 hours, while on patrol in marked K-9 vehicle number 81, I was driving on Route 70 eastbound and was approaching the interchange. While traveling on Route 70, I observed a large truck towing a boat in the right hand lane of travel to stay on Route 70 once through the intersection. This area has a total of five lanes of travel but three of them allow travel onto Route 70. The other two lanes go to different roads (Route 88 and Princeton Avenue).

While driving through the intersection, the truck and attached boat did not maintain its lane of travel and in total, crossed two lanes of travel to its left making it go from the right most lane of travel to the left most lane of travel. This maneuver did not appear to be a purposeful one because there was no turn signal used and the truck abruptly counter steered away from the concrete median once it crossed all the lanes of travel to avoid an impact. There were also numerous vehicles that had to avoid the truck and its attached boat as it was failing to maintain its lane of travel in the middle of the biggest intersection Brick Township has.

As the vehicle continued on Route 70 and passed the intersection, it failed to maintain its lane of travel and straddled two lanes; the driver's side tires were in one lane and the passenger side tires were in a different lane. Once passed Olden Street, the three lanes turn into two. The truck failed to maintain its lane again, entered the right lane and entered into the shoulder with its passenger side tires. At this point, I conducted a motor vehicle stop in the area of Route 70 and Jack Martin Boulevard.

I approached the passenger side of the vehicle and called in the New Jersey registration J59JKM because I could finally see the license plate. I approached the passenger side window and spoke with the registered owner, Talles Ribeiro who I identified through his digital New Jersey driver's license. Ribeiro's eyes were bloodshot and watery and as he spoke his speech was slow and slurred. As Ribeiro was attempting to retrieve his requested credentials, his hands were slow and fumbling. At times, Ribeiro would have a blank stare on his face as he looked through his windshield. I asked Ribeiro if he had consumed any alcoholic beverages prior to operating his vehicle. Ribeiro admitted to consuming "three beers" prior to operating his vehicle. Ribeiro informed me he was coming from Traders Cove, which is township owned marina with a boat ramp. It appeared Ribeiro pulled his boat out from the water because the boat was still wet and Ribeiro admitted to being on his boat today. At this time I requested a backup unit.

Due to Ribeiro's operation of his vehicle, his blood shot and water eyes, coupled with his slurred speech and slow fumbling hands, I requested him to exit his vehicle so we can speak further. I assisted Ribeiro exiting his vehicle so he would not get struck by traffic. Ribeiro exited his vehicle and we spoke in front of it. I informed Ribeiro I was going to check is eyes. The first test I conducted was the Horizontal Gaze Nystagmus test. I put Ribeiro into the starting position by having his feet together and his hands at his sides. I told him I was going to check his eyes. I instructed Ribeiro to keep his head still and to follow my pen with his eyes only and not to move his head. I asked Ribeiro if he understood and he stated he did. Prior to conducting the test I checked Ribeiro's eyes for resting nystagmus which he did not have and I ensured Ribeiro's eyes tracked equally, which they did. After testing Ribeiro's eyes, I observed both eyes to have a lack of smooth pursuit, both eyes have nystagmus at maximum deviation for a period of no less than four seconds along with the both eyes having the onset of nystagmus prior to 45 degrees for a period of no less than four seconds. Ribeiro's eyes also had vertical nystagmus for a period of no less than 4 seconds. As I was checking Ribeiro's eyes, I could smell the odor of an alcoholic beverage emanating from his breath.

Due to Ribeiro's performance on the Horizontal Gaze Nystagmus test, I turned him over to Ptl. DeLuca so he could complete the rest of the field sobriety tests (see case form by Ptl. DeLuca, under the same case number).

A tow truck was called for Ribeiro's vehicle. Ribeiro's brother, Luis Ribeiro arrived on scene prior to it being removed. I conferred with Ribeiro who requested that his brother take his vehicle. Luis was provided with a potential liability form and signed it. Luis took possession of his brother's vehicle and drove it away. Luis responded to Headquarters and ultimately took custody of Ribeiro.

OfficerID: dfogarty, Narrative

On 08/24/2019 at 2150 hours, I responded to police headquarters in reference to a motor vehicle stop in which Ptl. Deluca #276 had the driver, Talles Ribeiro, in custody for driving while intoxicated.

Once at police headquarters, I operated the Alcotest 7110 MKIII-C machine and observed Ribeiro in an excess of twenty minutes prior to administering the test. During the observation time, Ribeiro remained under constant and uninterrupted observation. During which time there was no indication that Ribeiro had anything in his mouth or had regurgitated. In addition, the Alcotest machine area was free from any type of electronic devices (i.e., portable radios, cellular telephones, K9 vehicle transmitter etc.). Ribeiro was read his Miranda Rights to which he stated he understood and signed off on the waiver portion of the form. I then read him the NJ D.U.I. Standard Statement form in which he stated "Yes, Sir." he would submit to samples of his breath for breath testing. During the administration of the test he was advised on how to conduct the test. A new, clean, sealed mouth piece was used for each test. The test was completed with a result of .17 % B.A.C. Dispatch then entered the Alcotest breath sample results into the NJSP Alcotest Calculator in which the breath sample results were within acceptable tolerance.

Subsequently, Ptl. Deluca was advised of the results (See DWI report).

OfficerID: jdeluca, Narrative

On 08/24/2019 at approximately 2124 hours, Sgt. Catalina #229 conducted a motor vehicle stop of a 2011 silver colored F-350 pick-up truck bearing NJREG#J59JKM in the area of Route 70 east bound and Jack Martin Blvd. The suspect vehicle in question had a trailer attached to the vehicle, NJREG#TVR82B, and on the trailer was a boat NJREG#3118GW. As a result of Sgt. Catalina's motor vehicle stop I responded to the scene as a backing officer. (See his supplemental report under this case number)

Upon my arrival to the scene, I observed Sgt. Catalina standing on the passenger side of the suspect vehicle speaking with the operator who was identified as the registered owner, Talles Ribeiro . Sgt. Catalina advised he believed the Mr. Ribeiro to be under the influence of alcoholic beverages and as a result was requested to exit the vehicle. Mr. Ribeiro was then escorted to the front of the vehicle to conduct Standardized Field Sobriety Tests. Sgt. Catalina then preformed the Horizontal Gaze Nystagmus test, commonly referred to as HGN.

Upon completion of Sgt. Catalina administering the HGN test, I explained and demonstrated to Mr. Ribeiro the Walk and Turn Test. The following tests were performed on the debris free, level surface in on the shoulder of Route 70. While explaining the test, Mr. Ribeiro had difficulty maintaining his balance and could not stay in the starting position. It should be noted he also advised he had sustained an MCL and ACL injury at one point in time to his left knee. After I finished explaining the test to Mr. Ribeiro, he requested to remove his shoes before he began. Once Mr. Ribeiro removed his shoes, he begun to perform the test. While performing the test, Mr. Ribeiro stopped walking to steady himself, failed to touch heel-to-toe, and used his arms for balance.

The next test explained and demonstrated was the One Leg Stand Test. During this test Mr. Ribeiro swayed while balancing and put his foot down more than three times. As a result this test was terminated.

Upon completion of all three tests, Mr. Ribeiro was believed to be operating a motor vehicle under the influence of alcoholic beverages and was placed under arrest. He was handcuffed behind his back, double-locked, searched, placed and seat belted in the rear of marked patrol vehicle #47, and transported to Brick Township Police headquarters.

Sgt. Catalina #229 remained on scene and Sandy's Service Center was requested to respond to impound the vehicle in accordance with John's Law.

While at headquarters, I secured my department issued duty weapon in a secured lock box. Mr. Ribeiro was then turned over to Ptl. Fogarty #211 who was requested to operate the Alcotest 7110 MKIII-C. (see his supplemental report under this case number)

It should be noted while Ptl. Fogarty was conducting his observation of Mr. Ribeiro, Sgt. Catalina #229 advised Mr. Ribeiro's brother, Luis, arrived on scene. Sgt. Catalina stated Luis was willing to take possession of the vehicle if Mr. Ribeiro would give permission. Mr. Ribeiro granted permission for Luis to take possession of the vehicle, trailer, and boat, and as a result a Potential Liability Form was brought to Sgt. Catalina. The Potential Liability Form was then explained and signed by Luis and he took possession of Mr. Ribeiro's property.

Ptl. Fogarty later advised upon completion of administering the Alcotest, Mr. Ribeiro gave sufficient Breath Samples in an acceptable tolerance and had a Blood Alcohol Concentration (BAC) of .17.

Mr. Ribeiro was ultimately issued two summons' by Sgt. Catalina, unsafe lane change (39:4-88B) on summons#1506-E19-005186 and failure to give proper signal (39:4-126) on summons#1506-E19-005187. I also issued Mr. Talles the following motor vehicle summons' operating under the influence of liquor (39:4-50) on summons#1506-E19-005188, reckless driving (39:4-96) on summons#1506-E19-005189, careless driving (39:4-97) on summons#1506-E19-005190, and failure to exhibit registration (39:3-29B) on summons#1506-E19-005191.

Mr. Ribeiro was then released to his brother Luis who responded to headquarters and provided with the original Potential Liability Form.



Case Report Summary



Print Date/Time: 09/23/2019 13:37
Login ID: jsisco
Case Number: 2019-00055858

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00055858
Location: BRICK BLVD / MOLLY LN
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0282 - Mancini

Incident Type: DWI
Occurred From: 08/31/2019 22:27
Occurred Thru: 08/31/2019 22:37
Disposition: Cleared by Arrest
Disposition Date: 09/01/2019
Reported Date: 08/31/2019 22:27 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1
4	State	6300	39:4-88B	Unsafe Lane Change	1
5	State	6300	39:4-126	Failure to signal turn	1
6	State	6300	39:3-74	Windshield Wipers, Obstructed View	1
7	State	6300	39:3-33	Improper Display - Fictitious Plates	1
8	State	6300	39:3-29C	Failure to Exhibit Documents - Insurance	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Zdichowski, Denise Kamille	[REDACTED]	[REDACTED]	White	Female	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51665 A	Zdichowski, Denise Kamille	DRUM POINT RD / CHERRY QUAY RD Brick Township, NJ 08723	09/01/2019 00:00	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2005	MERC	GRAND MARQUIS	Gray	SMG16N	NJ

OfficerID: emancini, Narrative

On 08/31/2019 at approximately 2227 hours, Ptl. Zurica #242 and I were dispatched to the area of Walgreens, 2546 Hooper Avenue, in reference to a motor vehicle complaint. The caller advised that a gray Mercury Grand Marquis was driving all over the road and struck a curb.

While en route, Dispatch advised that the vehicle exited the parking lot and was traveling south on Hooper Avenue, continuing drive all over the roadway. I located said vehicle, bearing NJ registration SMG16N, at the intersection of Brick Boulevard and Molly Lane and followed behind, nearing the boarder of Toms River. I observed the vehicle fail to maintain its lane by crossing over the right fog line as well as the hashed lane markings. I then activated my overhead emergency lights in the area of Hooper Avenue and Church Road to conduct a motor vehicle stop. The vehicle turned right, onto the U-turn ramp, continued towards Hinds Road, and came to rest in the rear parking lot of Walgreens (2479 Church Road).

As I exited the patrol vehicle, I observed the vehicle to have one female driver, who opened the driver door as I was approaching the vehicle. I advised the driver, identified as Denise Zdichowski, to stay inside the vehicle and requested for her to turn off the ignition. I asked her to provided her license, vehicle registration and proof of insurance, and she responded, "Why are you pulling me over?" The driver handed me her license and continued thumbing through her wallet, when I asked her a second time to hand me the registration and insurance. While speaking with her, I detected the strong odor of alcoholic beverage emanating from her breath and from inside the vehicle. Zdichowski eventually handed me the registration and an expired insurance card from the glove compartment.

During the stop Zdichowski was slurring her speech, she was fumbling documents and she dumped her purse out in the passenger seat. I detected the strong odor of alcoholic beverage emanating from her breath. I also observed her eyes to be bloodshot and watery. When I asked her how much she had to drink and she replied, "Not much, I worked a party".

Based on the above, I asked Zdichowski to exit the vehicle in order to perform field sobriety tests and I instructed her to the front of her vehicle. I observed Zdichowski stumbling and swaying while walking and she stopped near the hood of her car where she was leaning for balance. Before beginning field sobriety tests, my emergency overhead lights were deactivated and I escorted Zdichowski to an area of the parking lot that was well lit, level and free from debris. I asked her how much she had to drink and she replied, "I just had a few drinks, I just worked a party." I then implemented the standardized field sobriety tests.

Test 1: Horizontal Gaze Nystagmus Test

I instructed Zdichowski to stand in the testing position which was standing with her feet together, while holding her arms down at her sides. I asked her if she had any medical problems affecting her vision and she stated she wears glasses. An initial check of her eyes did not indicate resting nystagmus and she displayed equal tracking in both eyes.

During the test I observed lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation as well as, onset of nystagmus prior to forty five degrees in both of Zdichowski's eyes. I did not observe vertical nystagmus, due to her inability to track the stimulus vertically. Zdichowski also lost her balance several times throughout the test and did not follow instructions to track the stimulus with her eyes. I also observed her swaying side to side and front to back.

Test 2: Walk and Turn Test

I first asked Zdichowski if she had any problems with walking and balancing to which she stated she has arthritis. I instructed Zdichowski to stand in the starting position which I explained and demonstrated to put her right foot directly in front of the left foot heel touching toe, while holding her arms down at her sides.

During the instructional phase of the test, Zdichowski was unable to position herself into the starting position. She briefly placed her right foot in front of her left foot but was unable to remain the position without falling to the side. I instructed her three times to stay in starting position before concluding the test for her safety. Before concluding the test, Zdichowski started the test before instructed to, she was holding her arms out at her side for balance, and was swaying. Zdichowski was unable to complete the test.

Test 3: One Leg Stand Test

I instructed Zdichowski to stand in the starting position, which I explained and demonstrated was standing with her feet together while holding her arms down at her sides. I advised her to remain in this position while I explained and demonstrated the test. I explained and demonstrated to lift a foot of her choice six inches above the ground directly in front of her, keeping her legs straight,

lifted foot parallel to the ground, eyes on the lifted foot while counting out loud, "one thousand one, one thousand two, one thousand three" and so on until advised to stop.

During the instructional phase of the test, Zdichowski attempted to start the test several times before instructed to begin. I also noticed she was swaying while standing in the starting position. I then asked her if she understood the instructions to which she responded, "Yes." I then instructed her to begin.

During the testing phase Zdichowski briefly lifted her right leg while holding her arms out for balance. She was not counting and I instructed her to count as instructed to. She then put her foot down and stated, "I thought you were counting." I then advised her of the instructions and asked her to begin again. Zdichowski attempted three more times to lift her right leg and was unable to, thus I concluded the test for her safety.

Additionally, I asked Zdichowski to recite the English alphabet. I asked her if she understood the alphabet and she stated yes, and I asked her to recite the alphabet from A-Z without grouping or singing the letters. Zdichowski recited, the following while slurring her speech, "A,B,C,D,E,F,G,H,I,J,K,L,M,N,O,P,Q,R,S,T,U,V,W,S,K,Y".

Based on the above observations, I advised Zdichowski that she was being placed under arrest for driving while intoxicated and placed her into police custody. Zdichowski was handcuffed to the rear utilizing double locking handcuffs, searched and placed into the rear of my patrol vehicle without incident.

Surfside Collision responded on location and impounded the vehicle as per John's Law. I transported Zdichowski to Police Headquarters where she was processed.

Ptl. Zurcia conducted a twenty minute observation as well as the Alcotest, see supplemental report for further information. Zdichowski provided acceptable breath samples indicating a blood alcohol content of .24%.

Zdichowski was issued the following motor vehicle summonses:

NJSA 39:4-50; E19-5375
NJSA 39:4-96; E19-5376
NJSA 39:4-97; E19-5377
NJSA 39:4-88B; E19-5379
NJSA 39:4-126; E19-5381
NJSA 39:3-74; E19-5382
NJSA 39:3-33; E19-5383
NJSA 39:3-39C; E19-5384

Zdichowski was released to her daughter Lauren Zdichowski, who was advised of the potential liability warning and signed off on the form indicating she understood.

Additionally, my body worn camera was activated throughout the entirety of the incident. The rear seat of my patrol vehicle was searched prior to and following the transport of Zdichowski to Police Headquarters. My department issued firearm was secured prior to entering the cell area where Zdichowski was searched a second time. Standard fifteen minute prisoner checks were conducted and Zdichowski was screened for suicidal tenancies.

OfficerID: azurica, Narrative

On 08/31/2019 at 2320 hours, I responded to Police Headquarters to administer the Alcotest 7110 MKIII-C for Ptl. Mancini # 282 in reference to a DUI arrest.

Once at Headquarters, I responded to the booking room where Denise Zdichowski was in custody and seated for DUI. I began my constant, uninterrupted twenty minute observation period and I read her Miranda Warnings which she signed. I then read Zdichowski the NJ DUI Standard Statement Form. After initially stating I don't know and re-reading the form to Zdichowski at her request, she agreed to submit samples of her breath for chemical testing. Zdichowski's mouth was found to be free and clear of any debris or piercing's. In addition, the Alcotest machine area was free from any type of electronic devices on both myself, Zdichowski and any officers who entered the room(i.e. portable radios, cellular phones and the portable booking laptop). During the twenty minute observation period, Zdichowski did not belch, vomit or place anything in her mouth. At 2344 hours, in excess of the required twenty minute observation period I operated the Alcotest 7110 MKIII-C machine. A new clean mouthpiece was use for both samples Zdichowski provided into the Alcotest Machine. Zdichowski provided sufficient breath samples yielding a BAC of 0.24%. Zdichowski's breath samples were found to be in acceptable tolerance limits.



Case Report Summary



Print Date/Time: 09/23/2019 13:38
Login ID: jsisco
Case Number: 2019-00056293

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00056293
Location: 175 BRICK BLVD
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0303 - Talty

Incident Type: DWI
Occurred From: 09/02/2019 16:07
Occurred Thru: 09/02/2019 16:07
Disposition: Cleared by Arrest
Disposition Date: 09/02/2019
Reported Date: 09/02/2019 16:07 Monday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:4-97	Careless driving	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Schreiber, Bruno Anton, 3rd	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51673 A	Schreiber, Bruno Anton, 3rd	175 BRICK BLVD BRICK TOWNSHIP, NJ 08723	09/02/2019 16:34	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
09/02/2019	Evidence / Seized	Urine			Urine sample, DUI/DRE case. Test for CNS Depressants and Narcotic Analgesics.	53348	1

Chain of Custody

Date	Transaction	From	From Role	To	To Role
09/04/2019 06:54	Type: Intake Code: Log In Tag Number: Remarks:	0235-Thomas Caulfield		SP170-Frank Scelfo	
09/04/2019 09:36	Type: Release Code: NJSP Lab Tag Number: Expected Return Date: Remarks:	SP170-Frank Scelfo		NJSP LAB	

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2000 TOYOTA	Corolla	Tan	L19LBC	NJ

OfficerID: dthergesen, Narrative

On 09/02/2019 at approximately 1700 hours, I responded to Brick PD HQ, to operate the Alcotest for Ptl. Talty #303. Ptl. Talty #303 led the suspect, Bruno Schreiber 3rd, into the booking room. After reading Schreiber 3rd his rights and the standard statement, Schreiber 3rd was continuously observed for at least 20 minutes, during which time there was no indication that Schreiber 3rd had anything in his mouth or had regurgitated. Schreiber 3rd provided samples of his breath, as required by law. A new, clean, sealed mouth piece was used for each test. Schreiber 3rd's BAC was recorded at 0.00%. The test results were confirmed within acceptable tolerance by the State of New Jersey Alcotest Calculator.

OfficerID: etalty, Narrative

On 09/02/2019 at 1607 hours Ptl. Fogarty #211, Ptl. Ulman #215, and I, Ptl. Talty #303 were dispatched to the area of Hooper Avenue and A Street for a report of a motor vehicle complaint. The caller stated the driver was operating a Tan Toyota Corolla bearing NJ Reg: L19LBC and was driving all over the road. The operator was also driving through red lights, driving on the shoulder and struck several curbs. There was a previous call with the same vehicle description several minutes prior with the caller stating the driver was nodding off while driving the vehicle.

Prior to my arrival, Dispatch advised me that the caller just stated the Vehicle had pulled into the BP Gas Station (175 Brick Boulevard) after striking a Jeep (See crash report). Upon arrival at the BP Gas Station, I observed a Tan Corolla and a white Jeep parked in the Gas Station lot. In speaking with the Driver of the Toyota Corolla, later identified as Bruno Schreiber III he stated he hit the rear of the White Jeep (NJ Reg: H32FWZ). Schreiber explained the vehicle is not his and the brakes are bad which is what caused his vehicle to strike the Jeep.

In speaking further with Schreiber I advised him we had several calls come into dispatch about his vehicle driving recklessly. Schreiber stated that "my mind is just somewhere else right now". After gathering Schreiber's identification Ptl. Ulman noticed in plain view a defaced pill bottle in the center console. At this time a K-9 was requested and Ptl. Fogarty responded. Schreiber was asked if there was any controlled dangerous substance's in the vehicle. Schreiber explained the pill bottle was his and that he took off the label so his information wasn't on the bottle and that he was going to drop it off at the nearest pharmacy. Schreiber stated that there was no CDS in the vehicle but advised that he does have a medical marijuana card. Schreiber was asked if he had used marijuana today at which time he stated no. It should be noted there was a positive indication on the vehicle by K-9 Rigby (see Ptl. Fogarty's K-9 report). Sgt. Matthews #210 arrived on scene at which time he and Ptl. Ulman searched Schreiber's vehicle for contraband with negative results.

In speaking further with Schreiber, I observed watery and bloodshot eyes as well as him having a hard time keeping his eyes open. Schreiber would respond to questions in a slow manner and he was slurring his words and was rambling. Schreiber denied having anything to drink when asked but advised he was on medication. Based on Schreiber's slow response when responding to questions, his difficult time keeping his eyes open and having watery and bloodshot eyes, and admitting to driving and being on medication, his behavior was indicative of someone being on CDS. For those reasons, I asked Schreiber to participate in several Standard Field Sobriety Tests.

Schreiber was asked if there was anything wrong with his eyes or if he had any injuries that would prevent him from taking any of these tests. Schreiber responded by stating he has turrets which causes involuntary muscle spasms. Schreiber also stated that he get seizures as well. Schreiber also stated he has a knee injury from football in high school. Schreiber did state that he was able to walk without any problems.

The following Standard Field Sobriety Tests were conducted in a safe, level and well lit location:

Horizontal Gaze Nystagmus:

After I explained the directions, I began the test and checked for equal size and equal tracking. During the test I had to ask Schreiber to keep his eyes open several times as it appeared Schreiber was closing his eye's and nodding off while the test was being conducted. I observed the lack of smooth pursuit in both eyes. I also observed distinct and sustained Nystagmus at maximum deviation in both of Schreiber's eye's as well as the onset of Nystagmus prior to 45 degrees in both eyes for a period of no less than four seconds. While conducting the test, Schreiber was swaying from front to back and side to side.

Walk and Turn:

I instructed Schreiber to place his left foot down with his right foot in front of his left touching heel to toe. Schreiber proceeded to get into the starting position but had a difficult time standing in the starting position having to reposition his feet to the side to avoid falling. Schreiber was swaying back and forth while listening to instructions as well as stepping out of the starting position several

times. After giving Schreiber the instructions for the walk and turn test, Schreiber relayed the instructions back to me and after I advised him that was correct he began the test. while performing the test Schreiber did not touch heel to toe on several steps, lost his balance by stepping off of a straight line multiple times, turned incorrectly, used his arms for balance, and took the incorrect number of steps.

One Leg Stand:

I instructed Schreiber to stand with his feet together and his hands at his sides. After giving Schreiber instructions for the One Leg Stand he began the test. Schreiber started to lose his balance and steadied himself by repositioning his body and raising his arms. Schreiber also had to put his foot back down to keep from falling. Schreiber also stopped in the middle of the test to ask how long he had to do the test for. Schreiber began the test once again and then fell to the ground which concluded the test for safety reasons.

Upon completion of the tests and based on the results of the test, and the indicators shown by Schreiber being under the influence. Schreiber was advised he was being placed under arrest for DUI. I then placed Schreiber in handcuffs using the double lock method. Schreiber was then escorted over to my patrol vehicle where he was searched incident to arrest with negative results for any contraband. After confirming the rear compartment was free of any debris or contraband, Schreiber was secured in the back seat of my patrol vehicle.

Ptl. Fogarty remained on scene until the vehicle was impounded for John's Law. Ptl. Fogarty advised me he would be completing the NJTR-1 (see Ptl. Fogarty's crash Report). Ptl. Ulman and I then transported Schreiber to police headquarters. After arriving Schreiber was taken out of the patrol vehicle where the rear compartment was again checked for contraband with negative results. Schreiber was then escorted into headquarters where he was booked and processed in accordance with departmental policy. Ptl. Thergeson #249 arrived at police headquarters and performed the breath test on Schreiber (see supplemental report for details). After the Breath tests, which were recorded at 0.0% for blood alcohol content, were conducted, Drug Recognition Expert, Ptl. Caufield # 235, was contacted and asked to respond to Police Headquarters to conduct his own series of tests (See Ptl. Caufield's supplemental report). Schreiber was cited for the following violations:

39:4-50 (Driving While Intoxicated) T-163075

39:4-97 (Careless Driving) T-163076

39:4-96 (Reckless Driving) T-163077

Schreiber was given copies of his summons and was released to his sister (Samantha Schreiber). Samantha signed the Potential Liability Waiver and was given the original after making a copy for our records. Samantha was also given the impound receipt and her vehicle was released back to her (Registered owner).



Case Report Summary



Print Date/Time: 09/23/2019 13:38
Login ID: jsisco
Case Number: 2019-00057222

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00057222
Location: 55 BRICK BLVD 1
BRICK TOWNSHIP, NJ 08723
Reporting Officer ID: 0187 - Alexander

Incident Type: DWI
Occurred From: 09/06/2019 16:45
Occurred Thru: 09/06/2019 16:45
Disposition: Cleared by Arrest
Disposition Date: 09/06/2019
Reported Date: 09/06/2019 16:45 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-50.2(Ticket)	Refusal Ticket only	1
3	State	2100	39:4-50.4a	Refusal to Submit to Chemical Test	1
4	State	6300	39:4-97	Careless driving	1
5	State	6300	39:4-96	Reckless driving	1
6	State	6300	39:3-36	Failure to Notify Change of Address	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Complainant	1	JORDAN, SCOTT P	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Suspect	1	MARTIN, ROBERT MICHAEL, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51698 A	MARTIN, ROBERT MICHAEL, Jr.	55 BRICK BLVD 1 BRICK TOWNSHIP, NJ 08723	09/06/2019 17:08	Court Ordered	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2002	LINCOLN	Continental	Gold	H10FKH	NJ

OfficerID: jalexander, Narrative

On 09/06/19 at approximately 1645 hrs, Ptl. Haugh #217, Ptl. Person #262, and I responded to the front of Stop-n-Shop located in the Bay Harbor Shopping Plaza at 55 Brick Boulevard. Dispatch advised that an employee of Stop-n-Shop was attempting to leave in a vehicle and was highly intoxicated.

Upon our arrival I located the store Manager (Scott Jordan) who was flagging me down in front of the store. The suspect (later identified as Robert Martin, Jr., D.O.B. 12/17/65) was observed by me to be sitting on a bench next to Jordan.

Upon speaking with Jordan and Assistant Manager Lauren Duffner they stated that they observed Martin Jr. respond to work several minutes ago, stumble into the front of the supermarket and almost fall down. Jordan further stated that upon observing Martin Jr. stumbling he approached him and it appeared to Jordan that he was highly intoxicated, Jordan advised him he could not work his shift today due to his condition and contacted the Police. Upon hearing this Jordan stated that Martin Jr. attempted to return to his vehicle and leave the parking lot with his vehicle. Jordan stated that he convinced Martin Jr. to respond back to the front of the store to await Police arrival.

Upon speaking with Martin Jr. I immediately detected a strong odor of an alcoholic beverage on Martin Jr.'s breath and observed Martin Jr. to be the same individual that I had previously arrested on 5/22/19 for a DUI. As Martin Jr. spoke with me he spoke in a slow and slurred manner and could not speak in complete sentences. I observed Martin Jr.'s eyes to be bloodshot and watery with droopy eyelids. Martin Jr was observed to have mussed clothing with a black V-neck t-shirt on turned inside out and worn backwards.

I asked Martin Jr. how he arrived at work and he stated that he drove himself to work. I asked Martin Jr. when he last had an alcoholic beverage and he stated approx. 6 hours ago. While continuing to speak with Martin Jr. he changed his statement and stated that he did not drive to work several minutes ago and stated that his girlfriend "Cynthia" drove him to work. Martin Jr.'s vehicle (2002, Gold, Lincoln, Continental, NJ Reg. H10FKH) was located in the parking lot of Stop-n-Shop.

While continuing to speak with Martin, dispatch advised that another call/complaint came in several minutes ago of an erratic driver case #2019-57224. Dispatch further advised that the caller stated that the vehicle was a gold Lincoln bearing NJ registration H10FKH and was all over the road driving west on Drum Point road prior to turning onto Hooper Avenue (southbound). It should be noted that Martin resides on Birch Drive in the Waterside Gardens apartment complex and this would be the most direct route to Stop-n-Shop from his residence.

I asked Martin Jr. to produce his identification at which time he attempted to stand up and was very unstable. Martin Jr. eventually produced his driver's license and continued to speak in a slurred manner stating that if police let him leave the scene he would call his Father for a ride. Martin Jr. made several attempts to utilize his cellular telephone while speaking with Officers and he could not do so.

I asked Martin Jr. if he could stand up to conduct improved field sobriety tests to determine if he was impaired. Martin Jr. attempted to stand and could not do so safely, almost falling to the ground as he attempted to get up.

I determined that Martin Jr. could not safely conduct the tests and advised him that I was placing him into custody for driving while intoxicated. Martin Jr. was assisted to his feet, handcuffed, double-locked, searched as per department policy and placed into my patrol vehicle #45. Martin Jr.'s vehicle was towed as per John's Law by Lepores towing. Martin Jr. was transported without further incident to Brick Township Police Headquarters for processing. En route to B.T.P.D. Headquarters Martin Jr. again stated that he did not drive to work today but was driven by his girlfriend "Cynthia Heim".

At B.T.P.D. Headquarters Martin Jr. was placed into the booking room after being placed into a prisoner belt and handcuffs as per department policy. Martin Jr. was being processed by Special Police Officer Bolch #S136 and sitting on a bench when he fell forward off the bench and struck his nose on the floor. Officer Bolch advised me of this and first aid responded to headquarters to treat Martin.

Martin Jr. refused further medical treatment for the small laceration on his nose and was read Miranda and the standard statement form. Martin Jr. refused to the taking of breath samples stating "No because I was not driving". Martin Jr. was advised that his answer was not acceptable and further answered "But I wasn't driving" as a response to the second attempt to obtain breath samples. All electronic devices were removed from the booking room after the (20) twenty minute observation which was started at 1738 hrs. and completed at 1758 hrs.

Martin was issued motor vehicle summonses for Driving while intoxicated, Refusal to submit to breath samples, careless driving, reckless driving and failure to notify change of address on his driver's license.

As per Martin Jr.'s request Cynthia Heim, D.O.B. 11/28/63, 714 Schindler Drive, Brick, NJ 08723 was contacted and responded to B.T.P.D. Headquarters. Heim was read the potential liability warning at headquarters which she signed and was provided a copy of. Upon further speaking with Heim she stated that she did not drive Martin Jr. to Stop-n-Shop today and did not have any contact with Martin Jr. today at any time. Heim also advised me that Martin Jr. is an alcoholic and has a serious drinking problem. Martin Jr. was released from custody without incident after being issued the above motor vehicle summonses and was advised on procedures to recover his vehicle from impound.



Case Report Summary



Print Date/Time: 09/23/2019 13:39
Login ID: jsisco
Case Number: 2019-00058781

ORI Number: Brick Township Police Department
NJ0150600

Case

Case Number: 2019-00058781
Location: PRINCETON AVE / ROBBINS ST
Brick Township, NJ 08724
Reporting Officer ID: 0302 - Taylor

Incident Type: DWI
Occurred From: 09/14/2019 00:09
Occurred Thru: 09/14/2019 00:25
Disposition: Cleared by Arrest
Disposition Date: 09/14/2019
Reported Date: 09/14/2019 00:09 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	2100	39:4-50	Operating under influence of liquor or drugs	1
2	State	6300	39:4-96	Reckless driving	1
3	State	6300	39:3-10	Unlicensed Driver	1
4	State	6300	39:3-40	Driver's License or Registration Suspended	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Lopez, Jose	[REDACTED]	[REDACTED]	White	Male	[REDACTED]
Suspect	2	Lopez, Jose Anthony, Jr.	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51737 A	Lopez, Jose	1418 BEAVER DAM RD Point Pleasant Borough, NJ 08742	09/14/2019 00:25	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	Passenger Car	2007	LEXUS	ES350	Silver	V32LRT	NJ

OfficerID: sdierking, Narrative

On 9/14/19 I was driving marked patrol vehicle #72 westbound on Princeton Avenue approaching the intersection of Diane Drive. I observed a vehicle traveling eastbound at a high rate of speed. The vehicle was failing to maintain its lane and was in the westbound lane causing me to drive into the westbound shoulder. As the vehicle passed, I observed it to be a silver 4 door Lexus. I was unable to see the license plate due to the vehicle's speed. I immediately turned around and began attempting to close the distance to the vehicle.

I was able to close the distance to the vehicle in the area of Navajo Trail where I began to pace the vehicle at 72 MPH. I activated my emergency lights in the area of Margherita Place. The driver began to slow down but did not stop. I turned on the siren and the driver slowed down more and activated its right turn signal but still did not stop. The driver eventually stopped in the area of 493 Princeton Avenue.

I approached the driver's side window and could immediately smell the odor of an alcoholic beverage. The driver, later identified as Jose Lopez, was asked for his license and vehicle documents. He stated that he did not have a driver's license and after sometime, he was able to retrieve the registration and insurance for the vehicle. Ptl. Taylor #302 arrived on scene and began to speak with the driver as I went back to my vehicle to have dispatch look for a driver's license number.

Ptl. Taylor conducted roadside tests with Lopez and eventually arrested him for driving while under the influence. See Ptl. Taylor's report under the same case number for more information.

I issued two summonses to Lopez, 39:4-88b on T162703 and 39:4-98 on T162704.

OfficerID: Kdocherty, Narrative

On 09/14/2019 at 0053 hours I, Ptl. Docherty #275 responded to Headquarters in reference to a DWI arrest to operate the Alcotest 7110 MKIII-C for Ptl. Taylor #302 (Refer to his case report for further information, same case number).

At 0100 hours Ptl. Taylor and I began a constant, uninterrupted observation of the suspect (Jose Lopez) in excess of twenty (20) minutes. During that time, our department issued body worn cameras were activated. This observation continued throughout our entire contact with Lopez during which time he did not belch, regurgitate, vomit, or place any foreign objects inside his mouth. All portable electronic devices, including portable radios, and cell phones were removed from the booking room prior to testing.

I advised Lopez of his Miranda rights, which he stated he understood and agreed to answer my questions. Lopez then signed the Waiver portion of the form. I read Lopez the NJ Attorney General's Standard Statement for Motor Vehicle Operators and he stated he would provide samples of his breath for chemical testing. After the 20 minute observation period ended I activated the Alcotest 7110. I entered Lopez's information into the Alcotest and read him the standard instructions. Lopez stated he understood and provided two sufficient breath samples. Before each breath sample was provided I utilized a new mouthpiece (from a sealed plastic bag) to collect each breath sample.

Upon completion, his B.A.C.% was determined to be 0.17%. The results were provided to dispatch, who used the New Jersey State Police Alcotest Calculator to confirm the results were in acceptable tolerance.

OfficerID: btaylor, Narrative

On 9/14/19 at approximately 0009 hours, I was traveling east on Princeton Avenue heading to back up Sgt. Dierking #204 on a traffic stop. Upon my arrival Sgt. Dierking informed me of the infraction and suspected the driver, later identified as Jose Lopez to be intoxicated. See Sgt. Dierking's supplemental report for addition information (Case Supp 58781-19).

I approached the driver side of the vehicle and identified myself as a Brick Township Police Officer. I immediately detected the odor of an alcoholic beverage emanating from the vehicle. At this point in time, Jose was on the phone with his niece and I observed his speech to be slow and slurred. I requested Jose to hang up the phone so I can speak with him to which he complied. I asked Jose where he was coming from to which he stated he was coming from his brother's house in Lakewood. I asked Jose if he had anything to drink this evening to which he responded with not really and then immediately changed his answer to no. I proceeded to ask Jose to exit the vehicle which he complied to. While exiting the vehicle Jose used his car door to assist himself in exiting the vehicle and as soon as he closed the door Jose stagger stepped to the right. Jose was instructed to step the rear of the vehicle which he complied. While at the rear of the vehicle I observed Jose sway back causing him his toes to rise and catch his weight on his heels. Jose's eyes were watery, bloodshot and I could detect the odor of an alcoholic beverage emanating from his person. I asked Jose again, if he had anything to drink this evening to which he stated no, but then raised his arms and stated "if I say two beers, you will make me boop boop boop" (signaling we will make him walk a line). I informed Jose I was going to put him through a series of sobriety test, at which

point he appeared to be concerned by smiling and covering his face. Jose agreed to perform the test.

The below listed tests were explained and demonstrated by me and were performed on a flat level surface, in a well lit area free of debris. Prior to Jose performing the tests, I asked him if he had any type of injuries or disabilities that would affect him from performing the tests to which he stated "I have arthritis all over my body". I told Jose that would be taken into consideration.

One legged stand: Jose was instructed to place his feet together and keep his arms by his sides. He was to raise the foot of his choosing six inches off of the ground in front of him without raising his arms for balance. Jose was instructed to look at the tip of his toe and once in position, he was to count 1-1 thousand, 2-1 thousand ect. out loud until instructed to stop. I asked Jose if he understood to which he said yes. Jose was asked if he had any question to which he responded, not right now. I advised Jose he may begin, to which Jose started asking me what he needed to do. I explained the test again.

During this test, I made the following observations:

- Jose swayed throughout the entire test;
- On his first attempt, he raised his left foot less then 6 inches off the ground and put it back down after counting to "Two One-Thousand".
- Jose never looked at his toe, which he was instructed to do multiple times.
- He attempted the test a second time, with similar results as her first attempt;
- Jose was unable to complete the test, and it was concluded for his safety.

Walk and Turn: Jose was instructed to stand with his hands at his sides and place his right foot in front of his left foot and stand in a heel to toe fashion, prior to him being given any further directions. Jose was instructed to take nine steps heel to toe counting aloud for each step, while keeping his hands at his sides. After his ninth step, he was instructed to plant his front foot and take a small series of steps to turn around in the other direction and take another nine steps heel to toe counting them aloud. Prior to beginning the test Jose failed to hold the starting position and reverted back to have his feet parallel to each other.

During this test, I made the following observations:

- Jose was unable to match his steps with his counting;
- Jose failed to walk heel to toe for most of the test;
- Jose spun around when he reached the count of 10;
- Jose side stepped multiple times to keep from falling over;
- Jose raised his arms over 6 inches in an attempt to keep his balance.

It should be noted the alphabet test was not fully conducted due to Jose's lack of knowledge with the English alphabet.

Based on my training, experience, and what was observed during and prior to the tests, I determined that Jose was under the influence of alcohol while operating a motor vehicle. I placed Jose under arrest utilizing the double-locking mechanism, following departmental policy, and he was searched incident to arrest. Jose was then placed in the back of patrol vehicle #06, and all of his property was secured in the front seat of said patrol vehicle.

Jose was transported to police headquarters, where he was booked and processed as per departmental policy. Sgt. Dierking remained on scene for Point Pleasant Towing to respond and impound the suspect vehicle as per Johns Law.

Jose was placed on a bench in the booking room to begin his twenty-minute observation period. I conducted a check of the rear passenger compartment of Patrol Vehicle #06 prior to and after Jose was placed inside. At 0101 hours, Ptl. Docherty #275 read Jose his Miranda Rights. Jose understood and waived her rights. Ptl. Docherty then read Jose the New Jersey Attorney General's Standard Statement for Motor Vehicle Operators, and Jose agreed to submit samples of his breath (See Case Supplemental Report #58781-19 by Ptl. Docherty).

Results of the chemical breath test showed Jose had a Blood Alcohol Content of 0.17%. It should be noted, the test results were within acceptable tolerance as per the State of New Jersey Alcotest Calculator.

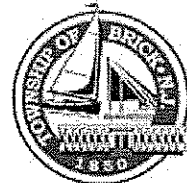
Jose was charged with the following:

- Driving under the influence of liquor or drugs (39:4-50) on Summons 1506-E19-005605
- Reckless Driving (39:4-96) on Summons 1506-E19-005606
- Unlicensed Driver (39:3-10) on Summons 1506-E19-005607
- D/L Suspended (39:3-40) on Summons 1506-E19-005608

Jose was released to Jean Escobar-Martinez as per John's Law and a Potential Liability Warning was completed.



Case Report Summary



Print Date/Time: 09/23/2019 14:07
Login ID: jsisco
Case Number: 2019-00058876

Brick Township Police Department
ORI Number: NJ0150600

Case

Case Number: 2019-00058876
Location: HOOPER AVE / LYNNWOOD AVE
Brick Township, NJ 08723
Reporting Officer ID: 0257 - Albanese

Incident Type: DWI
Occurred From: 09/14/2019 14:10
Occurred Thru: 09/14/2019 15:49
Disposition: Cleared by Arrest
Disposition Date: 09/16/2019
Reported Date: 09/14/2019 14:10 Saturday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1870	2C:35-10A(4)	Possession of 50 Grams or Less of Marijuana or Less than 5 Grams of Hashish	1
2	State	2100	39:4-50	Operating under influence of liquor or drugs	1
3	State	6300	39:4-96	Reckless driving	1
4	State	6300	39:4-97	Careless driving	1
5	State	6300	39:3-29C	Failure to Exhibit Documents - Insurance	1
6	State	6300	39:3-29B	Failure to Exhibit Registration	1
7	State	6300	39:4-49.1	Possession of CDS in Motor Vehicle	1
8	State	6300	39:4-81	Disregard of any official traffic control device	1
9	State	6300	39:4-88B	Unsafe Lane Change	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Serratelli, Daniel Joesph	[REDACTED]	[REDACTED]	White	Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
51739 A	Serratelli, Daniel Joesph	HOOPER AVE / LYNNWOOD AVE Brick Township, NJ 08723	09/14/2019 14:30	Probable Cause	[REDACTED]

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
1	Suspect Vehicle	SUV	2001	TOYOTA	SEQUOIS	Beige	M86JKA	NJ



Print Date/Time: 09/23/2019 13:40
Login ID: jsisco
Case Number: 2019-00058876

Case Report Summary



ORI Number: Brick Township Police Department
NJ0150600

OfficerID: ehaugh, Narrative

On 09-14-2019 I operated the Alcotest 7110 MKIII-C for Ptl. Albanese #257 that had Daniel Serratelli in custody for DUI. I advised Serratelli of his Miranda Rights and read him the Standard Statement Form. Serratelli understood his rights and agreed to provide breath samples.

I observed Serratelli in excess of twenty minutes before beginning the test. Prior to the start of the test all radios and cell phones were removed from the room. Serratelli did not wear dentures and did not have any foreign objects in his mouth during testing. Serratelli provided two breath samples with the results of 0.00% BAC. Those results were run through the New Jersey State Police Alcotest Calculator and they were within acceptable tolerance. See Ptl. Albanese's report under this case number for further details.

OfficerID: jalbanese, Narrative

On 9/14/19 at 1410 hours I was on patrol in the area of Hooper Ave. and Mantoloking Rd. when I observed a Toyota Sequoia SUV (NJ #M86JKA) operating on Hooper Ave. on the shoulder. As I prepared to enter the intersection of Hooper Ave. and Mantoloking Rd. the Toyota utilized the shoulder to pass stopped cars at the red traffic signal. I observed the Toyota fail to obey the red traffic signal as it entered the intersection at which time I performed a motor vehicle stop on the vehicle located at Hooper Ave. and Lynnwood Ave.

I made contact with the driver Daniel Serratelli, advised him of the violation and requested he provide his license, registration and insurance card. As Serratelli attempted to locate the documents I observed his eyes to be bloodshot and watery. Serratelli was slow with his movements, talked slowly and struggled to locate the requested documents. Serratelli was unable to locate an insurance card or a registration card and needed assistance in obtaining his drivers license which was in plain view in his center console. Serratelli attempted to pass off his voter registration card as his vehicle registration, a bank debit card as his license and ultimately provided a voided NJDL. At this time I informed Serratelli to turn off his vehicle and remove the key from the ignition as I suspected he was operating the vehicle under the influence of alcohol or CDS.

I informed Serratelli of my suspicion and he advised he was coming from the inlet but did not drink. Serratelli claimed he was on some prescription medications due to a hernia but did not elaborate on what he was taking. At this time I inquired if Serratelli could read and write the English language and if he knew the alphabet. Serratelli relayed he could read and write the English language and he knew the alphabet. I advised Serratelli to recite the alphabet starting with the letter "B" and ending with the letter "O". Serratelli advised he understood my instructions and began the test when he was ready. Serratelli completed the alphabet as instructed but failed to stop at the letter "O" and continued on to the letter "P".

Ptl. Storch #206 arrived on scene and I requested Serratelli exit his vehicle to perform several field sobriety tests. I walked Serratelli across the street to a vacant parking lot where it was a safer location to perform the walk and turn and one leg stand. I inquired if Serratelli had any physical ailments that would prohibit him from performing several balance tests to which he responded, a hernia but he would be able to perform the test.

First test I instructed Serratelli on was the one leg stand. I explained the test to Serratelli then demonstrated the test to him prior to his attempt. I advised Serratelli to raise a leg of his choice six inches off the ground, keep it elevated and count aloud as he looked at his foot, one one-thousand, two one-thousand, three one-thousand and on until he was advised to stop. Serratelli advised he understood my instructions and was advised to begin the test when ready. Serratelli raised his foot six inches off the ground and began to count as instructed. Serratelli dropped his foot at seven one-thousand and did not resume the test. I advised Serratelli to continue the counting until he was advised to stop and inquired if he wanted to attempt the test again. Serratelli stated he would attempt again and began the test but used his arms for balance during the duration of the test. Serratelli counted as instructed until nine one-thousand and then continued ten, eleven, twelve until stopping at nineteen, then stated that's it. During the duration of the test Serratelli swayed side to side to maintain his balance.

The next test I instructed and demonstrated to Serratelli was the walk and turn. I instructed Serratelli to take nine steps heel to toe then a series of small steps to turn around and nine steps heel to toe back. Serratelli advised he understood my instructions and was advised to begin when ready. Serratelli was advised to start with his right foot in front of his left foot heel to toe which he failed to do. Serratelli stood with his feet side by side and then began to take steps, none of which were heel to toe. Serratelli took more than nine steps down, failing to count his steps aloud. Serratelli turned around, was reminded to count his steps aloud and took twelve steps back none of which were heel to toe.

Ptl. Storch attempted to test Serratelli on the HGN test but Serratelli could not follow instructions and the test was suspended.

I took Serratelli into Police custody and requested a tow truck as per John's law. I handcuffed Serratelli, double locked the hand

cuffs and walked him back to the rear of patrol vehicle which was negative for any items in the rear seats. A search subsequent to arrest yielded Serratelli to be in possession of suspect marijuana which was located in his pocket. At 1434 hours I read Serratelli his Miranda rights which he waived and inquired about the CDS and if there was any CDS in his vehicle. Serratelli relayed he did not have any CDS in his vehicle and gave consent to search his vehicle. A consent to search form was completed and a search of the vehicle yielded negative results for any CDS. Ptl. Storch remained on scene with Serratelli's vehicle as I transported him to Police headquarters.

Upon arrival to Police headquarters Serratelli was removed from patrol vehicle and the rear seats checked negative for any items. Serratelli was processed, photographed, fingerprinted and charged with:

Summons: 1506-S-2019000921

2C:35-10A(4) Possession of marijuana 50 grams or less

1506-E19-005617

39:4-50 Operating under the influence of alcohol or drugs

1506-E19-005618

39:4-96 Reckless driving

1506-E19-005619

39:4-97 Careless driving

1506-E19-005620

39:3-29C Failure to possess driver insurance card

1506-E19-005621

39:3-29B Failure to possess driver registration card

1506-E19-005622

39:4-49.1 Operating a motor vehicle while in possession of narcotic

1506-E19-005623

39:4-81A Failure to observe traffic signal

1506-E19-005624

39:4-88B Traffic on marked lanes

Ptl. Haugh #217 responded to Police headquarters to operate the alcotest machine and Serratelli provided breath samples as requested (see Ptl. Haugh's supplement report). Serratelli had a blood alcohol content of .00 and at this time I requested a Drug Recognition Expert respond to Police Headquarters to test Serratelli for CDS use.

Ptl. Bazerque #436 of Long Beach Police Department responded to Police headquarters and conducted a DRE examination. Ptl. Bazerque's examination indicated the following drug category: CNS Depressant and Narcotic Analgesic (see Ptl. Bazerque's report).

While in custody Serratelli complained of pain due to his hernia and prior to his release requested to be transported to Brick hospital due to the pain. I completed my paperwork prior to EMS arrival and Serratelli was released to the care of the EMS and transported to Brick hospital for treatment.

Serratelli's vehicle was impounded as per John's law and was entered into property via Aegis. all evidence seized was entered into property via Aegis.

This incident was captured on Body Worn Camera.