



LINCOLN PARK POLICE DEPARTMENT INVESTIGATION REPORT

1. Department LINCOLN PARK POLICE DEPARTMENT		2. Mun. Code 1416	3. Phone Number 973-694-5533	4. CAD Incident# P241240047	5. Other Agency Case #	6. Department Case Number 2024-04448	
7. Crime / Incident DRIVING WHILE INTOXICATED CARELESS DRIVING FAILURE TO WEAR SEAT EQUIPMENT- RESPONSIBILITY FAILURE TO OBSERVE STOP OR YIELD SIGNS			8. NJS 39:4-50 39:4-97 39:3-76.2F 39:4-144		9. Victim/s		10. SSN
11. Age		12. DOB		13. Sex		14. Race	15. Eth
DATE ☐	16. Between 22:16	17. Hour FRI	18. Day 05	19. Mo. 03	20. Date 2024	21. Yr.	
AND							
TIME							
24. Crime/Incident Location PARSONS RD / JAMES CT, LINCOLN PARK, NJ 07035				25. Victim's Employer		26. Phone #	
27. Municipality LINCOLN PARK BORO		28. County MORRIS		29. Code 1416		30. Person Reporting Crime/Incident PATROLMAN MATTHEW GALIETTI	
31. Date and Time 05/03/2024 22:16		32. Type of Premises		33. Weapons / Tools		34. Address LINCOLN PARK POLICE DEPARTMENT 34 CHAPEL HILL ROAD, LINCOLN PARK, NJ 07035	
35. Home Phone / Cellular /		36. Modus Operandi Driving while impaired.		37. Vehicle		38. Year 2018	
39. Make FOR		40. Model MUS		41. Body Type 2 DOOR		42. Color BLACK	
43. Registered Number & State [REDACTED]		44. Serial Number or Identification [REDACTED]		45. Towing Company		46. Currency	
47. Jewelry		48. Furs		49. Clothing		50. Auto	
51. Misc.		52. Total Value Stolen		53. Total Value Recovered		54. Teletype Alarm	
55. Technical Services		56. Technician-Agency		57. Weather CLEAR		58. NIC	
59. Assisting Agencies		60. No. of Accused 1		61. Adult 1		62. Juvenile 0	
63. Status Crime Cleared by Arrest		64. Status Case Court		65. UCR Status Month Yr.		66. Date Cleared	
67. Code 68. Name 69. Address 70. Age 71. Sex 72. Race 73. Eth 74. DOB 75. HM 76. WK 77. C		[OTHER] SUTER, GREGORY A - [REDACTED], LINCOLN PARK, NJ - 63 - M - W - N - [REDACTED] 1961 - - - [REDACTED]		SERGEANT - ALAN BULL - LINCOLN PARK POLICE DEPARTMENT - 34 CHAPEL HILL ROAD, LINCOLN PARK, NJ 07035 - 973-694-5533		PATROLMAN - JUSTIN FUSS - LINCOLN PARK POLICE DEPARTMENT - 34 CHAPEL HILL ROAD, LINCOLN PARK, NJ 07035 - 973-694-5533	
[ARRESTED] SUTER, BRYTON A - [REDACTED], LINCOLN PARK, NJ 07035-1210 - 28 - M - W - N - [REDACTED] 1995 - - - [REDACTED]		78. Narrative		On the above date and time, I was assigned to uniform patrol utilizing marked patrol vehicle 58. I was traveling on Bog & Vly Lane when I began to slow for the stop sign at the Comly Road intersection when my attention was directed to a vehicle traveling at a high rate of speed. The vehicle's speed increased as it past my location and it continued its high speed as it traveled north along Comly Road. I made a left turn onto Comly Road accelerating my vehicle in an attempt to close the gap. The unknown vehicle turned left onto Parsons Road where I was able to close the gap. I observed the vehicle roll through and fail to obey the clearly posted stop sign at the Anthony Boulevard intersection. At this time, I activated my emergency lights and radioed dispatch that I would be on a motor vehicle stop with the vehicle bearing New Jersey Registration, [REDACTED] on Parsons Road near James Court.		I approached the vehicle on the driver's side and inquired why his vehicle was traveling at a high rate of speed on Comly Road. The driver, later identified as Bryton Suter, replied "I was trying to go home." I asked where Bryton was coming from and he replied from the Park and Ride located at the Willowbrook Mall in Wayne, NJ. I asked him to provide me with his driver's license, registration and insurance card. As Bryton gathered his credentials, I observed his eyes to be watery and bloodshot. I asked him why he was coming home this late and he stated he was working late tonight in New York City, arrived at the Park and Ride and got in his vehicle to return home for the night. I asked Bryton if he was anywhere else tonight and Bryton respond that he did have some "drinks" tonight. I asked him how many drinks he had which Bryton replied he had "multiple" drinks, "I think north of 3" alcoholic beverages. Due to Bryton's unsafe operation of his motor vehicle, his bloodshot and watery eyes, and the admittance of drinking	
Print Rank/OFC Name PTL. MATTHEW GALIETTI 		Badge No. 61		Page No. 1 Of 3		Report Date 05/06/2024	
Reviewed By: SGT ALAN BULL 		Supervisor Signature					

ADULT

Case No. 2024-04448

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alcoholic beverages I asked Bryton to exit the vehicle to perform standardized field sobriety tests.

At this time Sgt. Bull arrived on scene as backup and turned my emergency lights off that were facing the testing area. I ushered Bryton to the front of his motor vehicle where it was level and free of any debris. Prior to starting the tests, I asked Bryton if he had any medical conditions or injuries that would prevent him from completing any tests. He replied, "no sir."

I explained the first test, the Horizontal Gaze Nystagmus, to him. I advised him to follow the tip of my finger with his eyes and his eyes only without moving his head. During the test I observed equal tracking and equal pupil size in both eyes. Lack of smooth pursuit was observed in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes, and only in his right eye was observed onset of Nystagmus prior to forty-five degrees. This test totaled 5 clues.

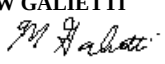
The second test performed was the Walk and Turn test. I advised Bryton to place his left foot forward and to place this right foot in front of his left in a heel-to-toe position with his hands by his sides. It took Bryton several attempts to be placed in the starting position due to him unable to maintain his balance. Once in the starting position he was advised not to move from the starting position until told to do so. Bryton was asked if he understood and he replied, "I do." Bryton was instructed to take nine heel-to-toe steps, on the ninth step he was to take a series of small steps until he was turned around, where he would then take nine more heel-to-toe steps back to complete the test. He was advised to look down at his feet during the test, keep his hands by his sides, count each step out loud and not to stop the test until it was completed. I demonstrated the test for him and asked him if he understood the instructions in which he replied "yeah." During the instructions I observed Bryton lift both his arms to approximately shoulder level and his feet separated from each other twice due to loss of balance. At this point he became frustrated, separated his feet from the starting position and inquired about refusing the test due to his impairment. I asked Bryton if he wished to refuse taking the test which he declined and was put back into the starting position. He was once again asked if he understood the instructions to the test, which he replied, "I do, yeah." While performing the test, Bryton raised his arms over six inches on the fourth step for balance, he then continued to walk a total of ten steps prior to making his turn. After making the turn he proceeded to walk twelve more steps. This test totaled 4 clues.

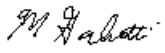
The last test I administered was the One Leg Stand test. He was instructed to stand with his feet together and his hands by his sides. He was told not to move from this position and not to begin the test until instructed to do so. Bryton acknowledged by nodding his head up and down. He was instructed to take either foot of his choosing and lift it approximately six inches off the ground. In addition, he was to keep his foot parallel to the ground, keep his leg straight, and to stare at the raised foot. He was instructed to count out loud one, one thousand, two, one thousand, three, one thousand, four, one thousand and so on until told to stop. I asked Bryton if he understood the test which he replied, "I do understand the test." He was advised to start the test when ready. During the test he repeated the numbers thirteen thousand and twenty-two thousand twice. After twenty-two thousand he continued counting without saying thousand until the test was completed. This test totaled one clue.

It should be noted while administering the tests, I detected an odor of an alcoholic beverage emanating from his breath. Due to the totality of the circumstances Bryton was placed under arrest for driving while intoxicated. He was handcuffed and searched incident to arrest. He was placed in the rear of marked unit 58, Mirandized and transported back to headquarters. I ushered Bryton to the processing room where a second more thorough search was conducted and then handcuffed him to the bench. The rear seat of vehicle 58 was checked before and after transport yielding a negative result for contraband.

It should be noted due to the arrest location being close to Bryton's home, he gave permission to have a family member take possession of his vehicle. Ptl. Fuss attempted to make contact with a family member but there was no answer at the door. Camps Auto and Truck Towing was dispatched to the scene. While waiting for the tow truck, Bryton's mother, Maruja Suter arrived on scene and the vehicle was turned over to her. Camps Auto was then cancelled.

All portable radios, microphones, body worn cameras, and cell phones were placed outside of the processing room including Bryton's. A DWI Questionnaire and Standard Statement form was completed, and Bryton agreed to provide breath samples. I examined his mouth and it was found to be clear of any foreign objects. I utilized the Alcotest's time function for the start and finish time for the observation period and the observation period began at 11:02PM and

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continued through testing. Bryton did not vomit, burp, regurgitate or anything that would void the observational period. I acted as the Alcotest operator and a new mouthpiece was used for each breath test administered. Bryton was instructed to take a deep breath, blow into the mouthpiece with one long continuous breath and continue to blow until told to stop. Bryton's first breath sample met the necessary volume and was accepted by the Alcotest. His second and third attempts did not achieve the minimum volume required for the proper breath sample. Bryton's fourth test met the necessary volume and was accepted by the Alcotest. The Alcotest provided a breath sample test report of .12% Blood Alcohol Content. I entered the results into the NCIC calculator, and it was found to be within acceptable tolerance. An arrest report was completed, a Last Drink Location Report was faxed and Bryton is not a veteran. Bryton's father, Gregory Suter, responded to headquarters and signed the Potential Liability Form. Bryton was then released pending his court date June 5, 2024 and was issued four motor vehicle summonses. Body worn camera footage was viewed prior to writing this report.				
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