



**CITY OF NORTH WILDWOOD
OPEN PUBLIC RECORDS ACT REQUEST FORM**

901 Atlantic Avenue
North Wildwood, NJ 08260
Phone: 609-522-2030 FAX: 609-522-6180
W. Scott Jett, City Clerk
sjett@northwildwood.com



Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information - Please Print

First Name	PAUL	MI	R.	Last Name	SMERECTHIAK
E-mail Address	PIPAUL95@BELLSOUTH.NET				
Mailing Address	440 SOUTH ANDREWS AVENUE				
City	FORT LAUDERDALE	State	FL	Zip	33301
Telephone	954-462-6262		FAX	954-462-6694	
Preferred Delivery:	Pick Up	US Mail	On-Site	Fax	E-mail
		X		X	X
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I <u>HAVE</u> / <u>HAVE NOT</u> been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.					
Signature	<i>Paul Smerecthiak</i>			Date	08/23/17

Payment Information

Maximum Authorization Cost	\$	
Select Payment Method		
Cash	Check	Money Order
Fees:	Letter size pages - \$0.05 per page Legal size pages - \$0.07 per page Other materials (CD, DVD, etc) - actual cost of material	
Delivery:	Delivery / postage fees additional depending upon delivery type.	
Extras:	Special service charge dependent upon request.	

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

I AM REQUESTING A COPY OF THE ARREST AFFIDAVIT FOR TERENCE M. BOYLE, DOB: 09/29/68, TICKET# L002143, DATE OF ARREST: 06/23/93, OFFENSE: DUI, DRIVER LICENSE # B69177327409682. ANY COSTS ASSOCIATED WITH THIS REQUEST... I... UPON NOTICE.

Already Faxed.

Your Copy.

Chris

AGENCY USE ONLY		AGENCY USE ONLY	
Est. Document Cost	_____	Disposition Notes Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.	
Est. Delivery Cost	_____		
Est. Extras Cost	_____		
Total Est. Cost	_____		
Deposit Amount	_____		
Estimated Balance	_____		
Deposit Date	_____		
		In Progress	- Open
		Denied	- Closed
		Filled	- Closed
		Partial	- Closed

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DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. Response is due to requestor as soon as possible, but no later than seven business days.)

N.J.S.A. 47:1A-1.1

Inter-agency or intra-agency advisory, consultative or deliberative material

Legislative records

Law enforcement records:

Medical examiner photos

Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)

Victims' records

Trade secrets and proprietary commercial or financial information

Any record within the attorney-client privilege

Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security

Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein

Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software

Information which, if disclosed, would give an advantage to competitors or bidders

Information generated by or on behalf of public employers or public employees in connection with:

Any sexual harassment complaint filed with a public employer

Any grievance filed by or against an employee

Collective negotiations documents and statements of strategy or negotiating

Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office

Information that is to be kept confidential pursuant to court order

Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency

Social security numbers

Credit card numbers

Unlisted telephone numbers

Drivers' license numbers

Certain records of higher education institutions:

Research records

Questions or scores for exam for employment or academics

Charitable contribution information

Rare book collections gifted for limited access

Admission applications

Student records, grievances or disciplinary proceedings revealing a students' identification

Biotechnology trade secrets N.J.S.A. 47:1A-1.2

Convicts requesting their victims' records N.J.S.A. 47:1A-2.2

Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.

Public defender records N.J.S.A. 47:1A-5.k.

Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9

Personnel and pension records (however, the following information must be disclosed:

- An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
- When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
- Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

- ☐ "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- Records exempted from disclosure by State agencies' proposed rules.

Executive Order No. 26 (McGreevey 2002)

- Certain records maintained by the Office of the Governor
- Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- Information in a personal income or other tax return
- Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.2.
(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☐ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the **City of North Wildwood**, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the **City of North Wildwood**.
5. *You may be charged a 50% or other deposit when a request for copies exceeds \$25.* The **City of North Wildwood** custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, the **City of North Wildwood** must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If the **City of North Wildwood** is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the **City of North Wildwood** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.



North Wildwood Police Department / Records Division
901 Atlantic Avenue North Wildwood, NJ 08260
609-522-2030 x 1505 Fax: 609-846-9960

Fax

To: Paul R. Smerechniak From: Chris Keefe
Fax: 954-462-6694 Pages: 7 (including cover sheet)
Re: Terrence M. Boyle DUI

● Comments

See attached reports.
* video tape is no longer available.*

Have a great day.

Chris

CONFIDENTIALITY NOTICE: The documents and/or information accompanying this fax transmission contain information from the North Wildwood Police Department that may be confidential and/or legally privileged. The information is intended only for the use of the individual and/or agency named on this transmission sheet. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on its contents is strictly prohibited. These documents should be returned to this agency immediately. In this regard, if you have received this fax in error, please call us at 609-522-2030, Ext. 1503 immediately so we can arrange for the return of the original documents to us at no cost to you.

If you did not receive all of the pages, call 609-522-2030, ext. 1503.

ARREST REPORT

NORTH WILDWOOD POLICE DEPT.		☐ IND. ☐ DISO. ☒ OTH.	Bin Number		Cell Number		1-A Identification Number	
1. Complaint Number 93-10549		2. Mun. Code 0507		3. Phone Number (609) 522-2411		4. UCR 7111		5. Prosecutor's Case Number
7. Name (Last) BOYLE		(First) TERENCE		(Middle) MICHAEL		8. Phone Number		6. Department Case Number
10. Address (Number - Street - Municipality - State - Zip Number) 235 E Cleveland Ave, Newark DE 19711								9. Alias/Nickname Terry
10A. Temporary Address (Number - Street - Municipality - State - Zip Number)								11. Place of Birth Haddon Twp, N.J.
12. Date of Birth 9-24-68	13. Age 25	14. Sex M	15. Race W	16. Height 6'0"	17. Weight 180	18. Hair BR	19. Eyes BR	11A. Address Type ☐ Seasonal ☐ Rent ☐ Own
22. NJCIS Check (If wanted, explain in narrative) ☒ NCIC ☒ SCIC ☒ COUNTY ☒ LOCAL				23. Other Descriptive Information N/A				20. Complexion Dark
25. Employer Apple Auto Glass				26. Occupation Auto Glass Installer				21. Marital Status Single
28. Employer's Business Address 235 E Cleveland Av, Newark DE 19711								24. Driver's License Number DE [REDACTED]
27. Social Security Number [REDACTED]								29. Phone Number [REDACTED]
DETAILS OF ARREST								
30. Complainant's Name and Address P/O Matthew Gallagher N.W.D. (Zip Code)								
32. Arrest Date 6-26-93		33. Time 0234		34. Location of Arrest 300 E 6TH AV N. WILDWOOD NJ			31. Phone Number 522-2411	
36. Patrol Related Arrest ☒ Yes ☐ No		37. Was Accused Armed? ☐ Yes ☒ No (If yes, explain below)		38. Under Influence ☐ Drugs ☒ Alcohol ☐ None			39. Warrant/Summons Number 4002143	
40. Crime D.W.I.		41. NJ Statute 39:4-50		42. Arresting Officer(s) Gallagher / Canuso			43. Badge No(s) 225 / 217	
44. Additional Crime Speeding		45. NJ Statute 39:4-98		46. Additional Crime			47. NJ Statute	
48. Additional Crime		49. NJ Statute		50. Description of clothing worn when arrested: Blue Jeans / Blue TSS shirt				
51. Accomplice(s) Address								
52. Crime Date 6-26-93		53. Time 0217		54. Crime Location 300 E 6TH AV			55. Arrest Type VIEW	
56. Resistance to Arrest ☐ Fled ☒ Passive ☐ Attacked ☐ Abusive		57. Constitutional Rights - Who Called for ☒ Yes ☐ No			58. Responded UNWSPD		59. Previous Record ☐ Yes ☒ No	
60. Search Employed ☒ Person ☐ Vehicle ☐ Premises ☐ Property ☐ None		61. Printed ☐ Yes ☒ No		62. Photo'd ☐ Yes ☒ No		63. Own YES		64. Multiple NO
67. Vehicle Information (Year) 83 (Make) MAZDA (Body) 2DR (Color) BL (Registration - State) 9AB3811-NJ		65. Other NJ NO		66. ☐ Out-of-State ☐ Federal		Other Descriptive Information		
BAIL HEARING								
68. Date 6-26-93		69. Court N. Wildwood				70. Judge/Authorized Person Bolasco		
71. Amount of Bail ON SUMMONS		72. Results of Hearing				73. Code		
74. Place Committed/Detained								
FINAL RESULTS								
75. Date JULY 02, 1993		76. Court N. Wildwood				77. Judge		
78. Verdict		79. Code				80. Disposition		
81. Date								
82. Code								
83. Report Status ☐ Pending ☐ Complete								
JUVENILE INFORMATION								
84. Name of Parent/Guardian (Contacted By)				85. Date		86. Time		87. Released To (Relationship)
88. Full Address of Person Released To								
92. Parent/Guardian				89. Date		90. Time		91. Phone Number
93. Full Address (Number - Street - Municipality - State - Zip Number)				94. Phone Number				
95. School and Address				96. Grade		97. Phone Number		98. Juvenile Status
REMARKS								
SEE D.W.I. Report								
Alcohol Influence								
Video # 212								
Psycho-physical								
99. Name Signature CPL R.A. Canuso		100. Badge Number 217		101. Completed ☒		102. Date of Report 6-26-93		

STA./UNIT
CODE NUMBER

NORTH WILDWOOD POLICE DEPT.
DRINKING - DRIVING REPORT

(1) DEFENDANT First Name Initial Last Name
TERENCE M. Boyle

(2) Age 23 (3) Sex M (4) Weight 180 (5) Eye Color Brown (6) Race WHITE

(7) Street Address
335 E. CLEVELAND A

(8) City and State
Newark Delaware

(9) Summons No. (Drinking/Driving/Allowing ONLY)
L002143

(10) Driver's License Number and State

CDL
☐

(11) Day of Week
Saturday

Violation Date
06/26/97

Military Time
0734

(12) Year/Color/Make of Vehicle Used
1983 Blue MAZDA Zdr.

(13) License Number and State

(14) Vehicle Code
01

CODES: NON-CDL VEHICLES: (1) Pass. Car/SW, (2) Pass. Car w/Trailer, (3) Recreation Veh., (4) Taxi/Limo, (5) Emergency Veh., (6) Motorcycle, (7) Moped, (8) Pickup, (9) Van/Step Van, (10) Truck, (11) Trk. Combo (12) Other
CDL VEHICLES: TRUCK COMBO: (20) 8'x 48', (21) 8 1/2'x 48', (22) 8'x 48'+, (23) 8 1/2' x 53', (24) Dbl. Bottom, (25) Truck, (26) Bus, (27) School Bus, (28) Limousine, (29) Other

(15) Name of Vehicle Owner
Paula A. Konopatski

(16) Address of Owner
1177 SHARP Rd Villanova PA 19380

(17) Municipality of Violation
No. Wildwood

Code No.

(18) Roadway or Location
300 E. 6th St

(19) County
Cape May

(20) Arrested By - Badge Number - Station
Grunberger / Cpl. Caruso #25/217 NWD

(21) Tested By - Badge Number - Station
Grunberger / Caruso NWD

(22) ACCIDENT INVOLVED

- ☒ 1 NONE
☐ 2 PEDESTRIAN
☐ 3 FATAL
☐ 4 INJURY
☐ 5 1 VEHICLE
☐ 6 2 VEHICLES OR MORE
☐ 7 OTHER (Explain)

(23) EXAMINATION

- ☒ 1 CHEM. BREATH TEST
☐ 2 BREATH TEST REFUSED
☒ 3 OBSERVATION
☐ 4 DOCTOR'S EXAMINATION
☐ 5 BLOOD TEST
☐ 6 NARCOTICS, HABIT PRODUCING DRUGS, OR HALLUCINOGENIC

LABORATORY ☐ Yes ☒ No Report No. _____

(24) SUMMONS ISSUED FOR

- ☒ 1 39:4-50 INFLUENCE
☐ 2 39:3-10.13 CDL
☐ 3 39:4-14.1 BICYCLE/39:4-14.3g MOPED
☐ 4 ALLOWING _____ TO OPERATE
☐ 5 BLOOD ALCOHOL RESULTS .19 % Bm
☐ 6 SUMMONS NUMBER (39:4-50.2 Refusal)
☐ 7 SUMMONS NUMBER (39:3-10.24 Refusal)
☐ 8 SUMMONS NUMBER (39:3-14/14g Refusal)

OBSERVATIONS WERE:

(25) ABILITY TO WALK

- ☐ UNABLE TO ☐ ON HANDS & KNEES ☒ SWAYING
☐ FALLING ☐ MOVED IN CIRCLES ☐ SAGGING

(26) ABILITY TO STAND

- ☒ SWAYING ☐ UNABLE TO STAND
☐ RIGID ☐ SAGGING KNEES

(27) SPEECH

- ☒ SHOUTING ☐ SLOBBERING
☐ RAMBLING ☐ INCOHERENT

(28) Demeanor

- ☐ FIGHTING ☐ INDIFFERENT
☒ EXCITED ☐ HILARIOUS

(29) ACTIONS

- ☐ PUNCHING ☐ RESISTING
☐ KICKING ☒ PROFANITY

(30) EYES

- ☒ BLOODSHOT ☐ WATERY
☐ GLASS EYE? ☐ RIGHT

(31) CLOTHING

- ☐ MUSSSED ☐ PARTLY DRESSED
☐ DIRTY ☐ VOMITED ON

(33) FACE

- ☐ FLUSHED ☐ PALE

(35) REMARKS: (If Needed, To Clarify Observations)

(34) ODOR OF ALCOHOLIC BEVERAGE ON BREATH

- ☐ NONE ☒ YES

(32) MOVEMENT OF HANDS

- ☒ FUMBLING ☐ SLOW

PAGE _____ OF
_____ PAGES

NORTH WILDWOOD POLICE DEPARTMENT

CONTINUATION PAGE

1. Complaint Number

93-10599

21. Prosecutor's Case Number

22. Department Case Number

NARRATIVE

DUI REPORT 93-10599

ON 06/26/93 AT ABOUT 0234 HRS. CPL. CARUSO AND MYSELF WERE WORKING DUI TASK FORCE IN VAN #210. OFF. McNULTY #223 REQUESTED THAT WE RESPOND TO THE 300 E. BLVD. OF LOTUS AVE. AS HE HAD A CAR STOPPED FOR SPEEDING AND THE DRIVER WAS POSSIBLY DRUNK, OPERATING 1983 RED BULK MAZDA (NJ ABR3811)

UPON OUR ARRIVAL OFF. McNULTY WAS SPEAKING WITH THE DRIVER, TERENCE BOYLE ON THE SIDEWALK. OFF. McNULTY HAD ASKED BOYLE TO PERFORM A COUPLE OF BALANCE TESTS.

OFF. McNULTY INFORMED US THAT THE DRIVER, BOYLE, APPEARED TO BE HIGHLY INTOXICATED, AS HIS SPEECH WAS SLURRED, HIS BALANCE POOR, AND HE HAD AN ODOOR OF ALCOHOLIC BEVERAGE ON HIS BREATH.

CPL. CARUSO AND MYSELF APPROACHED BOYLE. HE SAID THAT HE WAS A FIREMAN AND COULDN'T BELIEVE THAT WE WERE PUTTING HIM THROUGH ALL OF THIS. BOYLE SAID THAT HE WAS COMING FROM THE FAIRVIEW BAR, HE WAS THE DESIGNATED DRIVER, AND THAT HE ONLY HAD 4 BEERS. WHILE SPEAKING WITH BOYLE I NOTICED THAT HE WAS SWAYING, HE HAD AN ODOOR OF ALCOHOLIC BEVERAGE ON HIS BREATH, HIS SPEECH WAS SLURRED, AND HIS EYES WERE BLOODSHOT.

I ASKED BOYLE TO PERFORM SEVERAL BALANCE TESTS. HE WAS INSTRUCTED AND SHOWN HOW EACH TEST WAS TO BE PERFORMED. BOYLE PERFORMED THESE TESTS POORLY, SHOWING POOR BALANCE, POOR PERFORMANCE AND HAD DIFFICULTY FOLLOWING INSTRUCTIONS. DURING THESE TESTS BOYLE WAS CONSTANTLY COMPLAINING, AND WHINING ABOUT HAVING TO PERFORM THE TESTS. (SEE ATTACHED REPORT FOR BALANCE TESTS)

TERENCE BOYLE WAS ARRESTED FOR DUI, HANDCUFFED, READ HIS RIGHTS, SEARCHED, AND PLACED IN THE REAR OF VAN #210 TO BE TRANSPORTED TO THE NORTH WILDWOOD POLICE DEPT.

Page

#1

Date Report

6/26/93

Signature

Off. McQuinn #225

Badge Number

Reviewed By:

NORTH WILDWOOD POLICE DEPARTMENT

CONTINUATION PAGE

1. Complaint Number

93 10599

21. Prosecutor's Case Number

22. Department Case Number

NARRATIVE

ONCE AT THE POLICE DEPT. Boyle WAS BROUGHT INTO THE BOOKING ROOM WHERE THE DWI PROCESSING IS VIDEO RECORDED (SEE TAPE # 212) Boyle WAS READ HIS RIGHTS REGARDING THE BREATHALYZER AND EVENTUALLY CONSENTED TO GIVING THE REQUIRED BREATH SAMPLES. Boyle WAS RAN ON THE BREATHALYZER AND GAVE TWO BREATH SAMPLES WHICH READ .19% BAC AND .2070 BAC.

Sgt. CARLSON ASKED Boyle TO PERFORM SEVERAL MORE BALANCE TESTS AND Boyle PROOFLY PERFORMED SOME OF THE TESTS (SEE ATTACHED REPORT)

TERENCE MICHAEL Boyle WAS CHARGED WITH:
39:4-98 Speeding
39:4-50 D.W.I

Page

2

Date Report

04/26/93

Signature

off. de Quays

Badge Number

#225

Reviewed By:



No. L 002143
POLICE RECORD

Municipal Court of North Wildwood
10th & Atlantic Avenues
North Wildwood, N.J. 08260

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO
ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

Driver's License Number		EXP. DATE	09/97	STATE	DEL.	☐ Commercial License
-------------------------	--	-----------	-------	-------	------	---

THE UNDERSIGNED CERTIFIES THAT				
Name	First	Initial	Last	(Please Print)
	TERENCE	M.	Boyle	

Address			
235 Cleveland Ave			
City	State	Zip Code	Telephone
Newark	DE	19711	

Birth Date	Eyes	Sex	Weight	Height	Restrictions
07/29/68	BR	M			

DID UNLAWFULLY (PARK) (OPERATE) A					
Make Of Vehicle	Year	Body Type	Color	☐ Commercial Vehicle	
MAZDA	93	2dr	Blue	☐ Hazardous Material	
Lic. Plate No.	State	Exp. Date			
ABB 3811	NJ	1/94			

Offense Date	Month	Day	Year	Time
	06	26	93	2:17 PM

LOCATION OF OFFENSE	Describe Location
Municipality	300 E. 10th Ave
County	
North Wildwood	Cape May
Mun. Code (Offense)	0507

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE
(ONE CHARGE PER COMPLAINT)

- TRAFFIC OFFENSES - (check one) - TITLE 39:
- | | | | |
|---|------------------------------------|-------------------------------------|------------------------------------|
| (1) 3-4 Unregistered vehicle | ☐ | (7) 4-85 Improper passing | ☐ |
| (2) 3-29 Failure to exhibit documents | ☐ | (8) 4-97 Careless driving | ☐ |
| ☐ D.L. or ☐ REG or ☐ INS | | (9) 4-124 Failure to turn | ☐ |
| (3) 3-33 Unclear plates | ☐ | (10) 4-144 Failure to stop or yield | ☐ |
| (4) 3-66 Maintenance of lamps | ☐ | (11) 8-1 Failure to inspect | ☐ |
| (5) 3-76.2f Failure to wear seatbelt | ☐ | (12) 8-4 Failure to make repairs | ☐ |
| (6) 4-81 Failure to observe signal | ☐ | | |
| (13) 4-98 Speeding | MPH in a | MPH zone | |
| ☐ 1-15 MPH | ☐ 16-20 MPH | ☐ 21-25 MPH | ☐ 26-30 MPH |
| ☐ 31-35 MPH | ☐ 36-40 MPH | | |

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE	
☐ Overtime Meter No.	☐ Prohibited Area ☐ Double

OTHER TRAFFIC/PARKING OFFENSE (Describe)

Statute No.	Ordinance / Code No.
39:4-50	

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE
GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE
OFFENSE AND WILL FILE THIS COMPLAINT IN THIS COURT
CHARGING YOU WITH THAT OFFENSE.

Signature of Complainant	Month	Day	Year
	06	26	93
Officer's ID. No.	-225		

NOTICE TO APPEAR					
☒ COURT APPEARANCE REQUIRED	COURT DATE	Month	Day	Year	Time
		07	02	93	11:00 AM

☐ Truck ☐ Accident ☐ Personal Injury ☐ Property Damage		
CONDITIONS	AREA	☐ Business ☐ School ☒ Residential ☐ Rural
	ROAD	☒ Dry ☐ Wet ☐ Snow ☐ Ice
	TRAFFIC	☒ Light ☐ Medium ☐ Heavy ☐ Fog
	VISIBILITY	☒ Clear ☐ Rain ☐ Snow

Equipment	☐ Helicopter ☐ Pace ☐ VASCAR ☐ Radar ☒ Breathalyzer	
Equipment Operator's Name	Operator ID No.	Unit Code
Callahan	225	098152 M

POLICE RECORD

CPO 171 (2/93)

DISPOSITION OF CASE

ADJOURNMENTS: DATES

TO _____ REASON _____

TO _____ REASON _____

BAIL AMOUNT \$ _____ ☐ CASH ☐ BOND _____

POSTED WITH _____

(NAME & TITLE)

☐ FORFEITURE: AMOUNT \$ _____ DATE _____

DISPOSITION DATE: _____

BY: ☐ COURT ☐ VIOLATION BUREAU

PLEA _____ FINDING _____

SENTENCE

FINE \$ _____ JAIL: _____ DAYS: _____

COSTS \$ _____ DR. LIC. REVOKED: _____ DAYS

(\$1) ATS \$ _____ REVOCATION DATE: 1 / 1

(\$100) DWI \$ _____ COMM. SRV.: _____

(\$50) DWI/VCCB \$ _____ IDRC: _____

(\$0.50) EMTTF \$ _____ OTHER: _____

OFFICER'S COMMENTS

(See Instructions on Cover)

I WAS APPROXIMATELY 9TH + ATLANTIC
 DEF. MR. M. AT HIGH SPEED
 I PULLED BEHIND TO FOLLOW
 DEF. HE BRAKES, CAR SLOWED,
 PULLED 700 BLOCK 40 MPH.

ACTIVATED EMERGENCY LIGHTS
 DEF. TURNED RIGHT ON

WITNESSES: (NAME AND ADDRESS) _____ SUBPOENA ISSUED
 YES NO

1. DEF. DID NOT PULL
 OVER UNTIL 3RD THROUGH

2. 700 BLOCK _____

3. "WAS NOT AWARE OF HIS SPEED" _____

ARRESTED FOR DWI

No. L 000723

POLICE RECORD

Municipal Court of North Wildwood
 10th & Atlantic Avenues
 North Wildwood, N.J. 08260

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO
 ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

Driver's License Number			
EXP. DATE	9-97	STATE	DE
☐ Commercial License			
THE UNDERSIGNED CERTIFIES THAT			
Name First	Initial	Last	(Please Print)
TERENCE	M.	BOYLE	

Address			
235 CLEVELAND AVE			
City	State	Zip Code	Telephone
NEWARK	DE	19711	
Birth Date	Eyes	Sex	Weight
9-29-68	BR	M	
Height	Restrictions		

DID UNLAWFULLY (PARK) (OPERATE) ☒			
Make Of Vehicle	Year	Body Type	Color
MAZDA	83	2-DR	BLUE
Lic. Plate No.	State	Exp. Date	
ABD 3811	NJ	1-94	
Offense Date	Month	Day	Year
	6	26	93
Time	Hour	Minute	Second
		2	17

LOCATION OF OFFENSE	Describe Location
	700 ATLANTIC AVE
Municipality	County
North Wildwood	Cape May
Mun. Code (Offense)	
0507	

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE
 (ONE CHARGE PER COMPLAINT)

TRAFFIC OFFENSES - (check one) - TITLE 39:	
(1) 3-4 Unregistered vehicle ☐	(7) 4-85 Improper passing ☐
(2) 3-29 Failure to exhibit documents ☐	(8) 4-97 Careless driving ☐
☐ D.L. or ☐ REG or ☐ INS	(9) 4-124 Failure to turn ☐
(3) 3-33 Unclear plates ☐	(10) 4-144 Failure to stop or yield ☐
(4) 3-66 Maintenance of lamps ☐	(11) 8-1 Failure to inspect ☐
(5) 3-76.21 Failure to wear seatbelt ☐	(12) 8-4 Failure to make repairs ☐
(6) 4-81 Failure to observe signal ☐	
(13) 4-98 Speeding <u>40</u> MPH in a <u>25</u> MPH zone	
☒ 1-15 MPH ☐ 16-20 MPH ☐ 21-25 MPH ☐ 26-30 MPH ☐ 31-35 MPH ☐ 36-40 MPH	

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE	
☐ Overtime Meter No.	☐ Prohibited Area ☐ Double

OTHER TRAFFIC/PARKING OFFENSE (Describe)

Statute No.	Ordinance / Code No.
-------------	----------------------

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE
 GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE
 OFFENSE AND WILL FILE THIS COMPLAINT IN THIS COURT
 CHARGING YOU WITH THAT OFFENSE.

Signature of Complainant	Month	Day	Year
	6	26	93
Officer's ID No.	223		

NOTICE TO APPEAR			
☐ COURT APPEARANCE REQUIRED	COURT DATE	Month	Day
		7	2
	Year	Hour	Minute
	93	1	00

☐ Truck ☐ Accident ☐ Personal Injury ☐ Property Damage
--

CONDITIONS	AREA	☐ Business ☐ School ☒ Residential ☐ Rural
ROAD	☒ Dry ☐ Wet ☐ Snow ☐ Ice	
TRAFFIC	☒ Light ☐ Medium ☐ Heavy ☐ Fog	
VISIBILITY	☒ Clear ☐ Rain ☐ Snow	

Equipment	☐ Helicopter ☐ Pace ☐ VASCAR ☒ Radar ☐ Breathalyzer
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Equipment Operator's Name	Operator ID No.	Unit Code
CA 223	223	CA 205

POLICE RECORD

CPO 171 (2/93)

TRANSMISSION VERIFICATION REPORT

TIME : 08/25/2017 14:09
NAME : NORTH WILDWOOD PD
FAX : 6095222531
TEL : 6095222531
SER.# : BROH4J824932

DATE, TIME	08/25 14:07
FAX NO./NAME	19544626694
DURATION	00:02:44
PAGE(S)	07
RESULT	OK
MODE	STANDARD ECM



North Wildwood Police Department / Records Division
901 Atlantic Avenue North Wildwood, NJ 08260
609-522-2030 x 1505 Fax: 609-846-9960

Fax

To: Paul R. Smerechniak From: Chris Keefe
Fax: 954-462-6694 Pages: 7 (including cover sheet)
Re: Terrence M. Boyle DUI
• Comments

See attached reports.
* video tape is no longer available *