



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511



## Incident Report

### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-01208	21:21	01/04/19	21:21	01/04/19					X

<b>Incident Type:</b>	<b>Incident Location:</b>
Driving While Intoxicated 39:4-50	Street # Street Name Chandler Road Intersection / Cross Street of: Business / Common Location Name

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
Z1	Hendrickson Equipment Inc	C			N			

Address	Home Phone	Cell Phone
[REDACTED]		

Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
A	Hendrickson, William	A		[REDACTED]	M	1B		

Address	Home Phone	Cell Phone
Box 242 Monmouth Rd, Manalapan, NJ 07726-0242		

Code	Contact Name #3	MI	Suffix	Age	Sex	Race	DOB	SSN
W	Carson, Timothy	J		[REDACTED]	M	1B		

Address	Home Phone	Cell Phone
[REDACTED]		

Code	Contact Name #4	MI	Suffix	Age	Sex	Race	DOB	SSN

Address	Home Phone	Cell Phone

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Veh. 1	94	Chevy	PKUP	RED	[REDACTED]	NJ	[REDACTED]
2								
3								
4								

### Narrative:

**Narrative**  
 On January 4, 2019 at 2121 hrs I was dispatched to a call of an erratic driver driving onto Chandler Road from Hyson Road. Jackson Police Dispatched advised the caller was driving behind a red pick up truck bearing NJ Registration [REDACTED]. The caller further stated that he had observed the red pick up truck driving all over the roadway and into oncoming traffic. PO De La Torre #283 and Conti #296 enroute to assist. While these units were enroute, Jackson Police Dispatch advised the caller had followed the erratic driver into the parking lot at Ferrari's Plaza 440 Chandler Road.

Upon my arrival at 440 Chandler Road, I observed a white male slowly walking away from the driver

### Officer of Record: Date: Other Reports Filed: Reviewed By:

264 PO Javier Delatorre	01/04/19	MVA Arrest X DV DWI X DWIQ X Tow X SD CI 19 TRO SHA Prop. Evidn UOF Prst Supp Juv Bias Pris X	asalisbury
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side of a parked red chevy pick up truck. I activated my overhead emergency lights on marked patrol unit 307 to indicate to the male that I was motioning to him to stop walking. The caller later identified as, Timothy Carson, was parked alongside the passenger side of the chevy pickup truck (a red in color 1994 Chevy 3500 Pick up bearing NJ Reg [REDACTED]).

I exited my patrol unit to approach the male and immediately advised the white male to stop walking. I then asked the male if the red pickup truck was his. The male said Yes. The male later produced a NJ Identification card identifying himself as William A. Hendrickson. I advised William that a witness had observed him driving the red pick up truck all over the roadway. During my conversation with William, I detected an odor of an alcoholic beverage emanating from his mouth as he spoke. William's clothes were observed to be mussed and dirty. There also appeared to be vomit on the front of his zippered hooded sweat shirt. I asked William if he had been drinking any alcoholic beverages tonight. William stated a little bit. I then asked William to retrieve his Drivers License along with his vehicle registration and insurance card from inside his vehicle. While William searched for his documents, I observed what appeared to be vomit on the ground outside the driver's door. I asked William if he had vomited and William stated no. William was able to locate his NJ identification but was unable to locate a valid NJ Registration card or valid Insurance card. PO Conti on scene.

Based on my observations of William and his admittance of drinking alcoholic beverages tonight, I advised William that I will be conducting a Field Sobriety Test on him. I then walked William to level ground on the parking lot to administer the tests.

Prior to administering the tests I asked William if he was currently under any medications. William appeared to hesitate before he answered No. I then asked William if there were any physical problems with his legs and he stated no.

I attempted to perform (3) tests on William consisting of the reciting of the English Alphabet, the walk and turn test, and the one legged stand test.

On the first test, I asked William if he knew the English Alphabet. William stated Yes. I then advised him that when he is told to begin by this officer that he is to recite the English Alphabet starting with the letter "C" and to end with the letter "Z". Upon being told to begin, William recited the English Alphabet as C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, S, D, Q, R....

PO De La Torre #283 on scene.

On the second test, I had William attempt to do the walk and turn test. Prior to starting, I again asked William if there was anything wrong with his legs. William stated No. I then instructed and

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demonstrated to William that when he is told to begin that he is to stand with his feet together and keep his arms to his side. I then advised him that he is to place his right foot in front of his left foot, touching heel to toe, taking (9) steps forward, counting out loud after each step. After completing the (9) steps he is to turn himself around and continue taking an additional (9) steps in the same manner. Upon reaching the final step, he is to stop. I asked William if he understood my instructions. William stated he kinda understood my instructions. I asked William what part of my instructions he didn't understand and at this point he stated No, I got you. I then stopped William from starting the test before I told him to begin. When told to begin, William could not hold his balance after placing his right foot in front of his left. William then unsuccessfully took (3) swaying steps forward without touching heel to toe as he counted out loud and then stopped. William at this time stated he can't do this test.

On the third and final test, I was going to have William do the One Legged Stand Test. I asked William if there was anything wrong with his legs and William said no again. As I started to explain and demonstrate this test, William stated I can't do it. William refused to continue in completing the test.

William was subsequently handcuffed and placed under arrest for Driving While Intoxicated (39:4-50) issued under Motor vehicle summons E19 000107. I then transported William in marked patrol unit 307 to the Jackson Police Department to administer the Chemical Breath Test on him by utilizing the Alcotest 7110 MK-III-C.

Search incident to arrest revealed that William had the vehicle keys in his possession.

NJ registration [REDACTED] was towed by Jackson Auto Body as per John's Law (12 Hr Hold).

At the scene I learned from the witness that he had followed and observed William's erratic driving from S. New Prospect Rd/New Mexico St until William parked and exited from the vehicle at 440 Chandler Rd.

At the Jackson Police Department, I conducted the Mandatory Twenty Minute Constant Observation Period on William. During this time period, I read to William the New Jersey Attorney General's Standard Statement for Motor Vehicle Operations (N.J.S.A. 39:4-50.2(E)). When I asked William if he will submit samples of his breath for breath testing, William stated I think I'm gonna refuse. I then read to William the final portion of the standard statement advising William that his answer is unacceptable and that the law requires that he submit samples of his breath for breath testing. If he were not to answer me, or answer anything other than "Yes", he will be charged with refusal to submit to a breath testing. I then asked William again if he would provide samples of his breath for testing. William again responded, I refuse.

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William was also issued the following motor vehicle summonses:

- E19 000108 Reckless Driving 39:4-96
- E19 000109 Uninsured Motor Vehicle 39:6B-2
- E19 000110 Failure to exhibit Valid Registration Card 39:3-29
- E19 000111 Driving While Suspended 39:3-40
- E19 000112 Refusal to Submit to Chemical Breath Testing 39:4-50.2

I also read to William his Miranda Rights utilizing the Miranda Warnings and Waiver form which he invoked.

William was subsequently photographed and released on Motor Vehicle Summons E19 00107.

William was released to Keith Lackey as indicated in the Potential Liability Warning form.

The Alcohol Influence Report was generated and scanned/attached to this report.

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## Incident Report

### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-03982	15:27	01/14/19							X

Incident Type:	Incident Location:
MV Crash	Street # Street Name Intersection / Cross Street of:
Driving While Intoxicated 39:4-50	184 Toms River Road Toms River Rd / Pelican
	Business / Common Location Name

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
Z2	Jackson Township Boe	E		[REDACTED]	N			

Address	Home Phone	Cell Phone
[REDACTED]		

Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
A	Ulrich, Shaun	D		[REDACTED]	M	1B		

Address	Home Phone	Cell Phone
313 Toms River Road, Jackson, NJ 08527		

Code	Contact Name #3	MI	Suffix	Age	Sex	Race	DOB	SSN
Z1	Fritz, Robert	D		[REDACTED]	M	1B		

Address	Home Phone	Cell Phone
[REDACTED]		

Code	Contact Name #4	MI	Suffix	Age	Sex	Race	DOB	SSN
D2	Westgate, Elaine	F		[REDACTED]	F	1B		

Address	Home Phone	Cell Phone
[REDACTED]		

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
		13	NO-DATA	BUS	YW	[REDACTED]	NJ	[REDACTED]
2	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Veh. 1	03	TOY	2 DR	GN	[REDACTED]	NJ	[REDACTED]
3								
4								

### Narrative:

Narrative  
 On Monday 01/14/2019, a motor vehicle crash occurred on Toms River Road involving a school bus. Jackson Police dispatch advised that the second vehicle involved left the scene of the crash. The vehicle was described as a green pickup truck with a utility box in the bed of the truck. This Officer was at Patriots Park on Bowman Road and started to head in that direction. I made a right turn out of the park, now heading west. This Officer observed a green pickup truck traveling east on Bowman road and watched it as it passed.

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I noticed that it had a rack type system on the back and appeared to have some kind of equipment in the back. The truck matched the description of the suspect vehicle for the motor vehicle crash. This Officer turned around and started to head east bound, in an attempt to catch up to the vehicle in question. This Officer continued on Bowman Road and was able to locate the vehicle as it was about to make a left turn onto Don Connor Blvd. This Officer pulled behind the vehicle and activated my emergency lights so a motor vehicle stop could be conducted in a safe area.

This Officer exited my patrol vehicle and approached the driver side of the suspect vehicle, now described as a green 2003 Toyota Tundra (NJ registration [REDACTED]). As, I approached I could immediately detect the odor of alcoholic beverage emanating from the inside of the vehicle. I introduced myself to the driver and asked for his credentials. He began to speak with me, asking why he was being pulled over. As he spoke, I detected the odor of an alcoholic beverage emanating from his facial area. I informed him that his vehicle matched the description of a vehicle involved in a motor vehicle accident on Toms River Road. He informed me that he was not involved in any crash. We spoke about where he was traveling from and he was not able to answer this Officer. His speech was slow and slurred and his hands kept going inside his sweatshirt front pocket. I asked him several times to keep his hands out of his pockets but he was not able to remove them. He then pulled his hands out and it was determined that he only had cigarettes in that area. I continued to speak with him to try and figure out if he was involved in the motor vehicle accident. The driver was evasive with his answers and gave me vague responses. He mumbled several times, to the point where I could not understand him. The odor of alcohol remained on his person during my investigation. Back up units arrived on scene at this time and I was able to check the vehicle for any damage. This Officer observed yellow paint transfer and brush markings on the passenger side front bumper. I believed this vehicle to be the suspect vehicle in the motor vehicle accident. I also believed that the driver was under the influence of alcohol and for that reason, I asked him to step out of the vehicle.

As he exited, I had to remind him to keep his hands out of his pockets. The driver, now identified as (arrested) Shaun Ulrich, had hands out to the side and stumbled slightly as he walked to the rear of his vehicle. Mr. Ulrich advised me that he does not have any injuries and will be able to perform field sobriety testing.

The first test that I performed was horizontal gaze nystagmus test (HGN). This Officer used my silver and black "Zebra 3d" ball point pen as my stimuli. I instructed Mr. Ulrich to follow the tip of my pen with his eyes without moving his head. He then mumbled that he would have a hard time performing the test because he cannot see. I asked him to touch the tip of my pen with his finger. His movement was very slow and he was not able to touch the tip of my pen. I then started to perform the test. First, I ensured that Mr. Ulrich was able to track my stimulus, which he was,

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and make sure his pupils were the same size, which they were. Then I checked for a lack of smooth pursuit, which I observed. Next I checked for distinct and sustained nystagmus at maximum deviation, which was also observed in both eyes by this Officer. Last I checked for onset of nystagmus prior to 45 degrees, which was also observed in both eyes. It should be noted that I noticed 6 out of 6 observable clues during this test.

The next test that I conducted was the walk and turn test. This Officer showed Mr. Ulrich the starting position of the test and asked him to stand in that position while I physically showed him how I wanted the test conducted. He was not able to hold his feet in the heel to toe position that I asked him to be in. I then performed the test, advising him that I wanted him to take nine heel toe steps down the white fog line, turn and then take nine heel toe steps back. I advised him not to start until I instructed him to do so. He started the test before I could ask him if he understood the test. Mr. Ulrich walked and counted to nine without actually walking in a "heel to toe" fashion. He walked to my patrol car and turned around, walking back in the same manner. His hands were out to his sides in excess of six inches for balance as he walked. This Officer had to stay between him and the traffic for his safety. I stopped the test at that point so no accidents occurred being that traffic was coming by from time to time.

The last test that I performed was the one leg stand test. I asked him again, if he had any injuries and he did not give me a direct answer. I asked him to stand with his feet together and hands by his side. I had to remind him several more times at this point to keep his hands out of his pockets. He was not able to follow this Officer's instructions as I showed him how to perform the test. He started before instructed and was not able to perform the test. For safety reasons, I concluded the field sobriety testing.

This Officer had Mr. Ulrich place his hands behind his back and advised him that he was being placed under arrest for suspicion of driving while intoxicated. He asked me again about why he was being pulled over and was very adamant that he did not get into an accident with a school bus. He wanted to see the damage so this Officer escorted him to the front of his vehicle so he could see the paint transfer. After being searched, Mr. Ulrich was placed into the rear of police vehicle #183 without incident.

### IN ROUTE TO STATION...

This Officer transported Mr. Ulrich to Jackson police headquarters. While in my vehicle, he was talking about his rights not being read to him. He asked, again, for the reason that he was being pulled over. He was still slurring his words and mumbling. He was cooperative during his transport to police headquarters.

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AT POLICE HEADQUARTERS...

Mr. Ulrich was brought into the cell block area of Jackson police headquarters. This Officer searched him again and had him remove all outer clothing, to include his jackets and boots. Officer Notare #237 met this Officer at police headquarters to perform chemical breath testing on Mr. Ulrich. Mr. Ulrich was processed and a 20 minute observation was performed by Officer Notare inside the cell block area. Please refer to Officer Notare's report for details regarding the observation and chemical breath testing.

Officer Notare informed this Officer that Mr. Ulrich's blood alcohol content level was at 0.28%BAC. All proper paperwork, including the Standard statement form generated by Officer Notare were given to this Officer and are filed with the report.

Two traffic summons were generated for Mr. Ulrich by this Officer. The original ticket numbers were E19 000315 (DWI) and E19 000316 (Reckless Driving). However, this Officer had to void those original tickets tickets and generate new ones due to an error I made. I mistakenly put the wrong vehicle one the traffic summons. I corrected my error by generating two new tickets; E19 000319 (DWI) and E19 000320 (Reckless Driving). This is noted to show why the alcotest reading has the ticket number of E19 000315 on it.

This Officer contacted Mr. Ulrichs' mother, Wendy Fritz, and asked if she could pick her son up. She advised that she would come get him and came to police headquarters about an hour later. This Officer went over the potential liability form with Mrs. Fritz and she agreed to transport her son home for the evening. Mrs. Fritz signed the potential liability form and Mr. Ulrich was released to his mother several minutes later, without incident.

It should be noted that the 2003 Toyota Tundra was impounded at the scene at the time of the arrest by Jerry's Auto Body. Mrs. Fritz and Mr. Ulrich were made aware of this and instructed on how to recover their vehicle after the mandatory 12 hour DWI hold was expired.

Please refer to Officer Lasko's (#252) crash investigation report for details regarding the motor vehicle accident on Toms River Road.

No further police action taken by this Officer at this time.

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## Incident Report

### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-03990	15:38	01/14/19						X	X

<b>Incident Type:</b>		<b>Incident Location:</b>	
Driving While Intoxicated 39:4-50		Street # Street Name	
MV Crash		S New Prospect Road	
		Intersection / Cross Street of:	
		Bethel Church Road	
Business / Common Location Name			

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
Z1	Lane, Ilona	A		[REDACTED]	F	1B		
Address				Home Phone		Cell Phone		
27 Sunset Ave, Old Bridge, NJ 08857-1230								
Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
Z2	Paul, Jean	J		[REDACTED]	M	2B		
Address				Home Phone		Cell Phone		
[REDACTED]								
Code	Contact Name #3	MI	Suffix	Age	Sex	Race	DOB	SSN
P	Paul, Dashkar			[REDACTED]	F	2B		
Address				Home Phone		Cell Phone		
[REDACTED]								
Code	Contact Name #4	MI	Suffix	Age	Sex	Race	DOB	SSN
Pa	Lane, Virve	A		[REDACTED]	F	1B		
Address				Home Phone		Cell Phone		
[REDACTED]								

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Veh. 1	00	DOD	4 DR	MN	[REDACTED]	NJ	[REDACTED]
	Veh. 2	13	TOY	WAGON	WT	[REDACTED]	NJ	[REDACTED]
3								
4								

### Narrative:

Narrative  
 1. Operation of the Motor Vehicle

On January 14, 2019 at approximately 1539 hours Officer Reiff #278 and I were dispatched to a motor vehicle crash with vehicles in the roadway near the intersection of South New Prospect and Bethel Church Rd.

Upon arrival both vehicles involved in the motor vehicle crash where on South New Prospect Rd in the left lane and in the roadway. At this time Officer Reiff instructed both drivers to drive their vehicles in the closest parking lot for safety reasons. the parking lot was located at 271 S New Prospect Rd.

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### 2. When Stopped or Arrival at the scene

I then followed both vehicles into the parking lot to conduct my investigation. The driver of vehicle #2, New Jersey registration [REDACTED], was able to provide all necessary documentation required for the NJTR1 crash report. See Officer Reiff's NJTR1 report for the motor vehicle crash portion of the investigation.

I then went to speak to the driver of vehicle #1, later identified as Ilona Lane, and saw that she was on her phone staring at an application called "Snapchat". I then asked Ilona if she was on her phone when she rear ended the other vehicle. Ilona then began to answer a question I did not ask and tell me that she has been telling her mother to get Snapchat for years now and continued to repeat that statement multiple times. I asked if Ilona had hit her head or was injured in the accident to which she replied, "Are you calling me retarded?" and continued on about Snapchat. I then attempted to gain Ilona's attention by asking for her Drivers License, vehicle's registration and valid insurance card. Ilona then slowly fumbled through her glove box and was able to produce her vehicles registration. When I asked if she had the other required documentation she became very irritable and insisted she had already given it to me. I then explained she had not and the other documentation I was holding belonged to the other driver. Ilona did not believe me so I then showed her the driver's license I was holding, was that of a dark skin toned man and not of a Caucasian female. Ilona was not happy with that information and continued to insist that it was her drivers license. As I had leaned down to show Ilona the documentation again, I detected the odor of an alcoholic beverage emanating from her breath. I was also able to see that Ilona eyes were glossy and slightly red. It should be noted throughout this conversation Ilona had slurred speech. I then asked if Ilona had a wallet in her purse that was sitting next to her, so she could check for her driver's license. Ilona then retrieved her purse that was on the passenger seat next to her and put it on her lap. At this time, I was able to see an "E&F Peach Brandy liquor" bottle sticking out of her purse. I then retrieved the opened liquor bottle out of her purse and instructed Ilona to exit the vehicle.

When Ilona exited the vehicle, I instructed her to stand at the rear of the vehicle as I will be conducting some field sobriety tests, SFT's. Before I began any SFT's, I Terry Frisked Ilona for weapons in fear she may have a weapon on her persons due to her growing hostile behavior she was displaying toward me while asking her for her documentation. The Terry Frisk yielded negative results. I then asked Ilona a series of questions, such as what her highest level of education, to which she replied "Two years". I then asked what Ilona meant by "two years" to which she stated to effect two years in high school. I inquired how old Ilona was and if English was her primary language. Ilona replied that she was twenty-two and English was her primary language. While Ilona was answering my questions she was swaying side to side and would often put a leg out to regain her balance when attempting to stand still. I then instructed Ilona by verbally and physically demonstrating how I wanted Ilona to stand while I would give her instructions for the SFT's. I instructed Ilona to place her right foot in front of her left foot heel to toe, while her hands were at her sides. At this time Ilona was staring straight ahead not paying attention to

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what I was instructing her to do, so I had to regain her focus and tell her to look at my feet. When Ilona was finally able to get into the position, I had instructed her to be in she would move from that position to regain her balance. At times she would attempt to lean on the car behind her to gain her balance. Before I could give any instructions on the first test, Ilona began to perform the "Walk and Turn" test without being prompted to.

### Alphabet Test:

While Ilona was in the position that I previously instructed her to be in you could see her body visibly sway while standing up straight. I asked Ilona if she knew the alphabet to which she responded "Yes". I then instructed her to say the letters of the alphabet from "B" as in "Boy" to "O" as in "Oscar" without singing the letters. I repeated these instructions multiple times and then asked if she understood these directions. Ilona stated yes and she reiterated the not singing part back to me.

On Ilona first attempt on the test she sang the alphabet, her letters where slurred and were difficult to understand.

Before Ilona's second attempt at the test I re-explained the instructions. On Ilona's second attempt she continued to sing the alphabet. She started at "B" however slurred her letters and continued through the entire alphabet and at some parts mixed up the letters. I then asked if she was done with the test, to which she replied "Yes".

### One Leg Stand Test:

Ilona was then informed to put her right foot in front of her left foot with her hands at her sides before the next set of directions were given. Ilona had a difficult time maintaining this position and would frequently lose her balance and have to readjust herself. As I explained and demonstrated the next set of instructions simultaneously, Ilona was staring straight at my forehead not paying attention. I had to tell her to look at my feet as I verbally and physically demonstrated the instructions for the next test. Ilona was instructed she was going to raise one leg of her choosing (6) six inches off the ground with her toe pointed and looking at her foot while counting aloud one Mississippi, two Mississippi and so on until she was told to stop. Ilona was then asked if she had any injuries that would impede her ability to perform the test, to which she stated to effect she was not injured. I then repeated the instructions once more. At this time Ilona gained an irrational fear of Officer Reiff who was standing near me and observing the SFT's. It took many attempts to regain Ilona's focus when she kept turning her body away from Officer Reiff. Ilona would point at Officer Reiff and say that she was scared of him without providing an explanation. Officer Reiff then took a couple steps back and I was able regain Ilona's focus. As I explained the directions for the test once more Ilona continued sway when standing and attempted to begin the test without being prompted. I asked if Ilona understood the directions, to which she replied she "yes" and was instructed to begin when she was ready.

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Case Number

19-03990

Ilona first attempt she raised her right leg approximately an inch of the ground with her hands raised slightly for balance. Ilona did not point her toes nor did she count allowed but she did look at her foot. Ilona put her foot down without being prompted to do so. I then asked if she was done and she stated "yes".

Before Ilona's second attempt I re-explained the directions before informing her to begin. This time she raised her right leg approximately an inch of the ground with her hands raised slightly for balance. Ilona did not point her toes, nor did she count allowed but stared straight ahead and did not look at her foot. Ilona once more put her foot down without being prompted to stop the test, I then asked if she was done to which she stated "yes".

### Walk and Turn:

I then demonstrated both physically and verbally how and where to stand on the orange line in the parking lot. Ilona also had difficulties maintaining the right foot in front of her left foot with her hands at her sides position as she continued to lose her balance. Ilona once again became distracted and continued to point and act as if she was afraid of Officer Reiff. After I was able to regain Ilona's attention she started to perform the test without being prompted to do so or had the directions explained to her. I then both physically and verbally explained to Ilona to take (9) nine steps heel to toe forward on the orange line then to take short choppy steps to turn around and to take (9) nine steps heel to toe back to the way she came. Ilona got distracted once more and when I regained Ilona's focus I explained the directions again. I asked if she understood the directions to which she stated "yes".

On Ilona's first attempt she did not walk heel to toe on the line and had a space in between each step she took. The steps taken with Ilona's left foot were never on the line and she only took (4) four steps before she stopped. I asked if she wanted to try the test again to which she replied yes.

On Ilona's second attempt she did not walk heel to toe on the line and had a space in between each step she took. The steps taken with Ilona's left foot were never on the line and she took (9) steps forward but stopped and said she took (10) steps. I then asked if she was done to which Ilona stated to effect that she was.

At this time Ilona was placed under arrest and put into handcuffs for driving while intoxicated. Ilona was searched incident to arrest and yielded negative results for contraband. Ilona was then placed in the rear of patrol vehicle #173.

Ilona's vehicle was then towed as per John's Law for a 12 hour hold.

### 3. Enroute to Station

Ilona was transported without incident.

Officer of Record:

Date:

283 PO Cassiopeia Delatorre

01/14/19



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511

## Incident Report



Narrative Continued (Page 5)

Case Number

19-03990

5. At the station:

Upon arrival at headquarters Ilona was processed and was placed in the interview room of the cell block area. I then sat in the interview room with Ilona under constant observation during the mandatory twenty-minute observation period before the Alcotest could be performed. During this time period I read the "N.J Attorney General's Standard Statement for Motor Vehicle Operations (N.J.S.A 39:4-50.2(E))" verbatim. At this time Ilona agreed to providing samples of her breath for testing. Ilona was also informed of her Miranda's Rights to which she verbally stated she understood and waived her rights as she agreed to speak with me further. Ilona admitted to having approximately 5 glasses of wine at her house and states she went out for a drive and was heading back home when she crashed. Ilona also believed she was in Old Bridge when she crashed.

Once the mandatory (20) twenty-minute observation period was over Officer Notare #237 took Ilona to perform the Alcotest machine. See Officer Notare supplemental report for further information regarding the Alcotest.

Once it was deemed that Ilona would have to perform the Alcotest again she was placed interview room under constant observation. During the mandatory twenty-minute observation period I read the "N.J Attorney General's Standard Statement for Motor Vehicle Operations (N.J.S.A 39:4-50.2(E))" verbatim again. At this time Ilona agreed to providing breath samples for testing. At the conclusion of the second twenty-minute observation period Officer Notare took Ilona to perform the Alcotest machine.

Ilona had a blood alcohol content, BAC, of 0.31%. Due to Ilona's high level of intoxication Jackson First Aid was called to have her medically evaluated. Ilona declined any first aid treatment.

Ilona was then released on summons to her mother, Virve Lane, who signed the "Potential Liability Form", which states that she is responsible for her daughter for the next 12 hours.

The open container that was located in Ilona purse was photographed and attached to the case file. A copy of both Alcotest's results has also been scanned and attached to the case file.

Summons Issued:

- D171927 39:4-50
- D171928 39:4-97
- D171929 39:4-96
- D171930 39:4-51.b

Officer of Record:

Date:

283 PO Cassiopeia Delatorre

01/14/19



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511

## Incident Report



### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-05976	23:41	01/20/19	23:41	01/20/19		23:41	01/20/19		X

### Incident Type: Incident Location:

Driving While Intoxicated 39:4-50	Street #	Street Name	Intersection / Cross Street of:
MV Crash		Cedar Swamp Road	W Veterans Hwy
	Business / Common Location Name		

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
A	Duarte, Leonard		G		M	1B		
Address						Home Phone	Cell Phone	
10 Independence Court, Jackson, NJ 08527-9362								
Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
O	Morris, Paul		F		M	1B		
Address						Home Phone	Cell Phone	
[REDACTED]								
Code	Contact Name #3	MI	Suffix	Age	Sex	Race	DOB	SSN
Address						Home Phone	Cell Phone	
Code	Contact Name #4	MI	Suffix	Age	Sex	Race	DOB	SSN
Address						Home Phone	Cell Phone	

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Arrest	03	MER	4 DR	GN	[REDACTED]	NJ	[REDACTED]
2								
3								
4								

### Narrative:

Narrative  
 On 01/20/2019 at approximately 23:41 hours I, P.O. Kleinknecht #295, as well as P.O. Buono #294, were dispatched to the intersection of Cedar Swamp Road and Bennetts Mills Road for a reported motor vehicle accident. Upon my arrival I observed an unoccupied vehicle bearing New Jersey registration [REDACTED] off the right of the road with a light stanchion resting on top of it. As I approached the vehicle I observed P.O. Buono #294 walking in my direction with a male party. The male party was later identified as Leonard Duarte, who was the driver and registered owner of the vehicle. While P.O. Buono and Duarte walked in my direction I observed Duarte lose his balance several times as well as sway from side to side.

### Officer of Record: Date: Other Reports Filed: Reviewed By:

295 PO Kevin Kleinknecht 01/20/19	MVA X Arrest X DV DWI X DWIQ X Tow X SD CI TRO SHA Prop. Evdn UOF Prst Supp X Juv Bias Pris X	Reviewed By: mcowit
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# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511

## Incident Report



Narrative Continued (Page 2)

Case Number

19-05976

Once Duarte was closer I began to ask him questions about the accident. Duarte stated that he was driving home from Island Heights NJ and that he had drank a few beers before driving home. It should be noted while speaking with Duarte I detected the odor of an alcoholic beverage on his breath. I also observed Duarte's eyes to be bloodshot, droopy, and watery. It should be noted that Duarte had difficulty comprehending the questions I was asking him as well as difficulty speaking in coherent sentences. At this time I advised dispatch that I would be performing Standardized Field Sobriety Tests. Because of the strong wind gusts and extremely low temperatures I decided to bring Duarte in to the Speedway gas station to perform the tests in a more controlled environment.

Once inside Speedway this officer advised Duarte that I would be testing him for signs of impairment. At this time this officer began to conduct the Horizontal Gaze Nystagmus Test (HGN). This officer advised Duarte to stand with his feet together and his hands down at his sides. He then attempted to stand face to face with me at which time I extended my arm to create distance between us. I advised him again to stand with his feet together and his hands at his sides. I then asked Duarte if he had any issues with his eyes to which he responded no. It should be noted that I again observed Duarte's eyes to be very bloodshot, watery, and droopy. I then asked Duarte if he was able to see the tip of my pen which he replied he did. I then advised Duarte that he was to follow the tip of my pen with his eyes and his eyes only and not to move his head at any time. I then asked Duarte if he understood these directions which he replied yes. Once I began the test Duarte immediately began moving his head with the pen. During this test it was apparent that Duarte was unable to focus on the tip of this officers pen. After unsuccessfully attempting to complete the test this officer then moved to the Walk and Turn tests to make further observations.

This officer then advised Duarte to stand with his feet together and his hands at his side on a line located on the floor in speedway. I then demonstrated to him that I wanted him to take his right foot and place it in front of his left foot on the line in front of him and to keep his hands at his sides. While explaining the test Duarte began walking in a straight line in an attempt to begin the test before I had advised him to do so. I then told Duarte that he was not listening to my directions and to return to where he was standing prior to his attempt. I then continued to explain the test to Duarte at which time he became confrontational and began to ask me how long I could hold the start position for and would not obey officers commands. At this time I advised him to place his hands behind his back as he was under arrest. Officers were able to arrest Duarte without incident. Duarte was placed in hand cuffs (double-lock implemented) searched incident to arrest with negative results, and placed in the rear of this officers patrol vehicle.

**Officer of Record:**

**Date:**

295 PO Kevin Kleinknecht

01/20/19





# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

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## Incident Report



Narrative Continued (Page 3)

Case Number

19-05976

Once back at headquarters Duarte was removed from the patrol vehicle and brought into booking where he was searched again (negative results) prior to being placed in a holding cell. It should noted while removing Duarte from the vehicle I again detected the strong odor of an alcoholic beverage, this smell was not present while doing my vehicle inspection at the beginning of my shift. After removing Duarte's hand cuffs this officer advised him of his Miranda rights which he chose to invoke and would not speak to me further. I then began to read Duarte the NJ Attorney Generals Standard Statement form. While reading the form to Duarte he interrupted me several times. When asked if he would submit samples of his breath for testing he stated "no." I advised him again that if he did not submit breath samples he would be charged with refusal to submit to breath testing, to which he again replied "no."

Duarte was subsequently charged with Driving While Intoxicated 39:4-50 (E19000481), Refusal to Submit Breath Samples 39:4-50.2 (E19000482), Reckless Driving 39:4-96 (E19000483), and Failure to Maintain Lane 39:4-88 (E19000484). Duarte was released to his friend Paul Morris of Freehold Township NJ. Morris agreed to sign the Potential Liability Form and was provided a copy of said form. Morris was also advised that Duarte's vehicle had been towed and had a twelve hour hold on it as per John's Law. All pertinent documents were scanned and attached to this report.

Officer of Record:

Date:

295 PO Kevin Kleinknecht

01/20/19



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511



## Incident Report

### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-05384	08:07	01/19/19						X	X

<b>Incident Type:</b>			<b>Incident Location:</b>						
Driving While Intoxicated 39:4-50			Street # Street Name				Intersection / Cross Street of:		
MV Crash			946 E Veterans Hwy				E Veterans Hwy / Melissa		
Business / Common Location Name									

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
A	Vargas, Luiz	P		[REDACTED]	M			
Address						Home Phone		Cell Phone
160 Chestnut Street, Lakewood, NJ 08701-5804								
Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
F	Chanez, Lised			[REDACTED]	F			
Address						Home Phone		Cell Phone
[REDACTED]								
Code	Contact Name #:	MI	Suffix	Age	Sex	Race	DOB	SSN
Address						Home Phone		Cell Phone
Code	Contact Name #:	MI	Suffix	Age	Sex	Race	DOB	SSN
Address						Home Phone		Cell Phone

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Veh. 1	13	CHE	WAGON	BL	[REDACTED]	NJ	[REDACTED]
2								
3								
4								

### Narrative:

**Narrative**  
**Arrival at Scene:**  
 On January 19, 2019 at 0807hrs, myself and Officer Crinnian #247 were dispatched to 946 East Veterans highway for a report of a vehicle that had crashed onto their front lawn. Dispatch further advised that driver of the vehicle was asleep in the vehicle. Upon our arrival, these officers observed a vehicle stuck on top of a large landscaping rock on the front lawn of 946 East Veterans Highway. The vehicle is described as blue 2013 Chevrolet Equinox bearing NJ registration [REDACTED]. Officer Crinnian began to speak with the driver, Luiz Vargas, who stated that he did not know where he was at the current time.

### Officer of Record: Date: Other Reports Filed: Reviewed By:

259 PO Edward Travisano	01/19/19	MVA X Arrest X DV	DWI X DWIQ X	Tow X SD	CI 20 TRO	
		SHA Prop. Evidn	UOF Prst	Supp X Juv	Bias Pris X	mgrochowski



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

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## Incident Report



Narrative Continued (Page 2)

Case Number

**19-05384**

This officer then began to speak to Vargas who stated that he was coming from a party at a friends house and was trying to go home to his residence in Lakewood Township. While speaking with Vargas, this officer detected the odor of alcoholic beverages emanating from his person. This officer further noticed that Vargas was confused about where he was going and where he came from. This officer asked Vargas if he had been injured during the crash to which he stated that he was uninjured. This officer further observed an empty Corona beer bottle a few feet from the drivers door lying next to Vargas's eye glasses.

As this officer spoke further with Vargas, I observed that his eyes were bloodshot and that the odor of alcoholic beverages grew stronger. This officer then determined that Vargas would need to be tested to determine if he was impaired.

This officer advised Vargas that he would need to exit the vehicle to perform standardized field sobriety tests. Upon Vargas exiting the vehicle, he stumbled and utilized the the drivers door and door jamb area for support. This officer further observed that Vargas had urinated in his pants. Vargas then staggered to a flat and level walkway for the residence of 946 East Veterans highway where this officer would then conduct the tests. When Vargas exited the vehicle, Officer Roth #258 observed an open Corona beer bottle that still contained beer lying in the passenger side door.

### The Tests:

#### Test#1 - Horizontal Gaze and Nystagmus (HGN)

This officer advised Vargas to stand straight and keep his head straight. He was advised to follow the tip of my pen with his eyes, and his eyes only. he was directed not to move his heads. He was asked if he understood to which he stated that he did. Vargas began the test and was unable to keep his heads still. This officer directed him to keep his head still several times until he finally followed the direction. Once he kept his head still, he was unable to follow the tip of my pen with his eyes. This officer was unable to properly perform the test as a result.

#### Test#2 - The Walk and Turn Test

This officer advised Vargas that he would need to place his right foot in front of his left foot, touching heel-to-toe. He was then advised to walk nine steps, heel-to-toe, counting out loud as he walked, and hands down at his sides. This officer demonstrated the test to Vargas as he was being instructed. He stated that he understood these instructions and began to perform the test. After Vargas performed the first set of steps, this officer advised Vargas to walk back nine steps, heel-to-toe, counting out loud as he walked with his hands down at his sides.

**Officer of Record:**

**Date:**

259 PO Edward Travisano

01/19/19



**Jackson Police Department**  
 102 Jackson Drive, Jackson, NJ 08527  
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**Incident Report**



Narrative Continued (Page 3)

Case Number

**19-05384**

During the test, Vargas walked 14 steps on his first set of steps and then 14 steps on the return set. Vargas had been directed to walk 9 steps for each set. Vargas was unable to maintain heel-to-toe contact on all of his steps.

**Test#3 - The One Leg stand test**

This officer advised Vargas to stand with his feet together and hands down at his sides. He was advised to lift a leg, either leg he wanted up 6 inches off the ground with his toe pointed upward. He was then advised that he would count out loud one-one thousand, two-one thousand and so on until he was told to stop. This officer demonstrated the test while instructing Vargas. He was asked if he understood to which he stated "yes". He then began the test.

During the test, Vargas had to place his foot down to maintain balance after only a few seconds 5 times and the test was stopped by this officer because any further attempts at completing the test as instructed would have been futile and risked Vargas's safety.

This officer attempted to perform a counting backwards test and recite the alphabet without singing test but Vargas stated that he could not perform either.

As a result of this officers observations and tests results, this officer placed Vargas under arrest for Driving while intoxicated 39:4-50. He was handcuffed, searched, and secured in the rear of my police vehicle.

The two (2) Corona bottle were collected and later photographed. The bottles were then disposed of properly. Vargas's vehicle was towed and impounded for the required 12 hour hold.

It should be noted that the tests were recorded by 946 East veterans highways home surveillance system. This officer was able to obtain the footage of the tests which have been attached to this case. This footage further revealed that Vargas had crashed on the lawn of 946 East Veterans highway at 0527hrs on todays date. This would indicate that he stayed inside the vehicle for 2.5 hours before being discovered.

**Enroute to headquarters:**

While enroute to headquarters, this officer could detect the odor of alcoholic beverages emanating from the rear seat area of my patrol vehicle. This odor was not present prior to Vargas being secured in the rear prisoner cell of my vehicle.

**Officer of Record:**

**Date:**

259 PO Edward Travisano

01/19/19



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

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## Incident Report



Narrative Continued (Page 4)

Case Number

**19-05384**

### Arrival at headquarters:

Upon arriving at headquarters, Officer Crinnian began to process Vargas and maintained a constant visual observation of Vargas from 0845hrs until 0915hrs. During this observation period, this officer read the standard operators implied consent form which Vargas understood and agreed to provide samples of his breath for chemical testing. Vargas was then turned over to Officer Candido #218 who conducted the Alcotest on Vargas which yielded a B.A.C. of .17%. See Officer Candido's supplemental report for further details on the Alcotest.

After the test was concluded, Vargas was released to his sister, Lised Chanez, who signed the Potential Liability form which has been attached to this report.

### Additional Summons:

1. E19000454 - 39:4-88b
2. E19000455 - 39:4-97
3. E19000456 - 39:4-96
4. E19000457 - 39:4-51b

**Officer of Record:**

**Date:**

259 PO Edward Travisano

01/19/19



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511



## Incident Report

### Incident Details:

Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
19-06243	22:38	01/21/19	22:38	01/21/19					X

<b>Incident Type:</b>		<b>Incident Location:</b>	
Driving While Intoxicated 39:4-50		Street # Street Name	
		W Veterans Hwy	
		Intersection / Cross Street of:	
		S Stump Tavern Road	
Business / Common Location Name			

### Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other

Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN
A	Botello, Armando				M	1A		
Address				Home Phone		Cell Phone		
14 Story St Unit A, New Egypt, NJ 08533-1705								
Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN
Address				Home Phone		Cell Phone		
Address				Home Phone		Cell Phone		
Address				Home Phone		Cell Phone		

### Property Information:

Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

### Automobile Information:

1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
	Veh. 1	04	GMC	VAN	WHI		NJ	
2								
3								
4								

### Narrative:

**Narrative**  
 On January 21, 2019 at 2238 hrs as I traveled west on West Veterans Highway in marked patrol unit 307 approaching the intersection of South Stump Tavern Road, I observed a white van travel north from South Stump Tavern Road and stop in the middle of the intersection on West Veterans Highway. As I reached the stopped vehicle, I stopped my patrol unit because I was unsure what the vehicle was doing. I could also see another vehicle traveling east on West Veterans Highway coming towards our direction. The white van then traveled in reverse back towards South Stump Tavern Road and stop. The white van then made a left turn onto West Veterans Highway to travel west. I immediately activated my emergency overhead lights and sirens

### Officer of Record: Date: Other Reports Filed: Reviewed By:

264 PO Javier Delatorre	01/21/19	MVA Arrest X DV DWI X DWIQ X Tow X SD CI TRO	Reviewed By: mkelly
		SHA Prop. X Evidn UOF Prst Supp X Juv Bias Pris X	



# Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

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## Incident Report



Narrative Continued (Page 2)

Case Number

19-06243

to initiate a motor vehicle stop on the white van. A short distance later the white van stopped and I advised Jackson Police Dispatch that I was conducting a motor vehicle stop on NJ Registration [REDACTED] (a 2004 GMC van color white).

I then exited my patrol unit and approached the van from the driver side. Upon arriving at the driver's door, I asked the driver for his Driver's License, Registration Card, and proof of insurance on the motor vehicle. The driver was later identified as Armando Botello. As Armando looked for his documents, I could see that his hand movements were slow and fumbling. Armando eventually found the documents and handed them to me. As I spoke with Armando, I could see that his eyes were droopy eyed, watery and he appeared to be impaired. During my conversation with Armando, his speech was slow and slurred. I then asked Armando if he knew why I was conducting a motor vehicle stop on him. Armando stated no he did not. I then asked Armando why did he stop in the middle of the street and then drive back in reverse. Armando did not answer me at first and would just stare at me. I repeated my question to Armando and he mumbled I'm sorry. I then asked Armando if he has been drinking any alcoholic beverages tonight or has he taken any medication. Armando stated he has not been drinking or taken any medication tonight. I asked Armando again if he had been drinking alcoholic beverages tonight and Armando stated he had a couple of beers. I asked Armando if he spoke English and he said he spoke a little.

PO's Kafton #240, Gravina #298 on scene to assist.

At this time I asked PO Kafton to conduct a Horizontal Gaze Nystagmus test on Armando as part of my Field Sobriety Test on Armando.

Armando was advised to exit from his vehicle at which time I observed Armando lose his balance as he exited from the vehicle. Armando grabbed the driver door to hold himself up. I then detected an odor of an alcoholic beverage emanating from him as he exited from the vehicle. I instructed Armando to walk towards the back of his van. Armando walked in a swaying and staggering manner towards the back of the van. Armando was advised that I will be conducting a Field Sobriety Test on him.

The first test conducted was conducted by PO Kafton who administered the Horizontal Gaze Nystagmus test on him. I assisted PO Kafton in communicating with Armando by translating in Spanish if Armando did not understand his instructions. At the completion of this test, PO Kafton advised me that Armando failed. See PO Kafton's Supplemental report for details.

**Officer of Record:**

**Date:**

264 PO Javier Delatorre

01/21/19





# Jackson Police Department

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## Incident Report



Narrative Continued (Page 3)

Case Number

19-06243

The other (2) tests were conducted in Spanish.

The second test I conducted was the walk and turn test. Prior to administering this test, I asked Armando if he had anything wrong with his legs that would not let him complete this test. Armando stated no. I explained and demonstrated to Armando that when he is told to begin that he is to stand with his feet together and keep his arms to his side. I then advised him he is to place his right foot in front of his left foot, touching heel to toe, taking (9) steps forward, counting out loud after each step. After completing the (9) steps, he is to take a series of short steps to turn himself around and continue taking an additional (9) steps in the same manner. Upon reaching the final step, he is to stop. I asked Armando if he understood my instructions and Armando stated yes. Upon being told to begin, Armando swayed and staggered as he stepped forward. Armando did not walk in a straight line and was not touching heel to toe. Armando counted out loud (10) steps forward and then when he turned around, he placed his left foot in front of his right foot and took an additional (10) steps forward without touching heel to toe.

The third test I conducted was the one leg stand test. I again asked Armando if there was anything wrong with his legs that would not let him perform this test and Armando stated no. I explained and demonstrated to Armando that for this test when he is instructed to begin I want him to keep his arms to his sides and to raise any leg of his choice in front of him, keeping his foot (6) inches up from the ground while he counted in the following manner...one thousand one, one thousand two, one thousand three, one thousand four, and so on until he is told to stop. As I was done with my instructions, Armando stated to me that he needed to go pee. I advised Armando that he would have to wait to go pee. After being repeatedly told that he could not go pee right now, Armando stated he understood my instructions. The first time Armando attempted to do the test, Armando raised his right foot. Armando counted out loud to two one thousand and then dropped his foot on the ground. I had Armando try again and he raised his right foot (2) inches off the the ground. Armando kept his foot up until two one thousand again and dropped it. Armando immediately raised his right foot up (2) inches and continued counting to fourteen one thousand. Armando then dropped his foot to stop the test without being told.

At the completion of the Field Sobriety Test, it was determined based on my observations that Armando was unable to operate a motor vehicle safely. I subsequently placed Armando under arrest for Driving While Intoxicated (39:4-50) issued under E Ticket E19 000502. The vehicle was towed under John's Law and placed on a 12 hour hold by CH Auto.

**Officer of Record:**

**Date:**

264 PO Javier Delatorre

01/21/19



# Jackson Police Department

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## Incident Report



Narrative Continued (Page 4)

Case Number

19-06243

I handcuffed Armando and placed him in the rear of marked patrol unit 307 for transport to the Jackson Police Department for processing and to administer the chemical breath test by utilizing the Alcotest 7110 MK-III-C.

Upon arrival at the Jackson Police Department I completed the Twenty Minute Constant Observation Period on Armando. During the observation period, I utilized the on line New Jersey State Police Spanish version of the New Jersey Attorney General's Standard Statement for Motor Vehicle Operations (N.J.S.A. 39:4-50.2(E)) to be read to him. Armando stated he will submit samples of his breath for chemical testing.

Prior to administering the chemical breath test, all portable radios were turned off and all cell phones were secured outside the testing area.

I checked Armando's mouth area for any obstructions and I yielded negative results.

I then instructed Armando in Spanish on how to blow into the mouthpiece. When he is told to begin, I told Armando to take a deep breath and then to exhale continuously into the mouthpiece until he is told to stop.

During the course of the test, a new mouthpiece was used for every breath sample given by Armando.

Armando's final provided breath test result was a .14% BAC.

Utilizing the State of New Jersey Alcotest Calculator, the provided breath samples are within acceptable tolerance.

Armando was photographed and released on a motor vehicle summons to the custody of his adult son, Miguel Botello-Avalos.

Armando was also issued the following motor vehicle summonses:

E19 000503 Reckless Driving 39:4-96

E19 000504 Obstructing Passage of other Vehicles 39:4-67

Officer of Record:

Date:

264 PO Javier Delatorre

01/21/19