

CLAYTON COUNTY POLICE DUI ARREST REPORT

AGENCY ID GA0310100 PAGE 1 OF 4 CASE # 11056273
DATE: 11/16/11 TIME: 2050 INCIDENT LOCATION: Southlake Parkway@SR 54, Morrow GA
OFFENDER: Baker, Jeffery C. ADDRESS:
D/L#: ST: GA CLASS: C EXP: 2018
DOB: RACE: W SEX: M HGT: 600 WGT: 220 HAIR: BRO EYES: BRO
VEH TAG#: GV5916B ST: GA VEH YR: 2008 VEH MAKE: Dodg VEH COLOR: BLK
VEH OWNER: City of Morrow RELEASED TO: Capt Tatroe, Morrow PD

-OBSERVATIONS-

CLOTHES (COLOR/TYPE)-Black Pullover, White short sleeve t-shirt, Brown Pants, Black Dress Shoes
CONDITION: DISORDERLY [] DISARRANGED [] SOILED []

ATTITUDE: EXCITED [] TALKATIVE [x] CAREFREE [x] COCKY [x] PROFANITY [] SLEEPY [x] POLITE []
COMBATIVE [x] INDIFFERENT [] INSULTING [] COOPERATIVE []
OTHER: _____

UNUSUAL: HICCUPS [] BELCHING [x] VOMITING [] FIGHTING [] CRYING [] LAUGHING []
OTHER: _____

SPEECH: NOT UNDERSTANDABLE [] MUMBLED [] SLURRED [x] MUSH MOUTH [] CONFUSED []
THICK TONGUED [] STUTTERED [] ACCENT [] FAIR [] GOOD []

BREATH (ODOR OF ALCOHOLIC BEVERAGES): STRONG [x] MODERATE [] SLIGHT [] NONE []

-CHEMICAL TEST DATA-

BLOOD [x] BREATH [] URINE [] SALIVA [] NONE [] REFUSED [x] UNABLE [] RESULTS Refused
TEST LOCATION: ADMIN BY:
IF APPLICABLE- SEALED BY: MAILED BY: MAILED AT:
IF REFUSAL, WHY? not given

-MISC INFO-

EFFECTS OF ALCOHOL/DRUGS: EXTREME [] OBVIOUS [x] SLIGHT [] NONE []
SIGNS/COMPLAINTS OF ILLNESS/INJURY: None
ALCOHOL/DRUGS: TYPE: Alcohol QUANTITY: unknown
LOCATION: VEH [x] OFFENDER [x] OTHER: _____

ARREST: ACC [] VIOL [x] BOLO [] ROAD CHECK [] OTHER: _____
ASSISTING OFFICER(S): Sgt Smith MPD ROAD CHECK SUPERVISOR:
ARREST @ 2238 HRS IMPLIED CONSENT BY: BELL, B. @ 2238 HRS
POLICE RECORDING#: none START COUNTER: _____

-OFFENDER CHARGES-

Driving Under The Influence CODE: 40-06-391
Impeding Traffic Flow CODE: 40-06-184
Failure To Obey Traffic Control Device CODE: 40-06-20
Open Container CODE: 40-06-253
Too Fast For Conditions CODE: 40-06-180
Failure To Maintain Lane CODE: 40-06-48
Failure To Obey Officer Directing Traffic CODE: 40-06-02
CODE: _____

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-HORIZONTAL/VERTICAL GAZE NYSTAGMUS-

CONTACTS: YES NO

GLASSES: YES NO

EYES DO NOT PURSUE SMOOTHLY:

LEFT

RIGHT

DISTINCT NYSTAGMUS @ MAXIMUM DEVIATION:

LEFT

RIGHT

NYSTAGMUS ONSET PRIOR TO 45 DEGREES

LEFT

RIGHT

DID OFFENDER FOLLOW INSTRUCTIONS? YES NO EXPLAIN: Refused

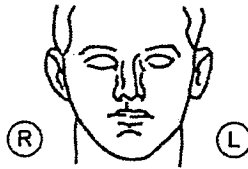
-WALK AND TURN-

INSTRUCTIONAL STAGE: CANNOT KEEP BALANCE STARTS TOO SOON

WALKING STAGE	1 ST 9 STEPS	2 ND 9 STEPS
STOPS WALKING	Refused	
MISSES HEEL TO TOE		
STEPS OFF LINE		
RAISES ARMS		
ACTUAL STEPS TAKEN		
COUNTED OUT LOUD	YES <input type="checkbox"/> NO <input type="checkbox"/>	
TURN:		

-ONE LEG STAND-	1-10	11-20	21-30
SWAYS			
RAISES ARMS			
HOPS			
FOOT DOWN			
COUNT CORRECTLY? YES <input type="checkbox"/> NO <input type="checkbox"/> EXPLAIN:			
CANNOT DO TEST (WHY)?	Refused		

-FINGER TO NOSE-



Refused

ALCO-SENSOR: NONE

REFUSED

POS (GMS): _____

OTHER TEST(S): none



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-ARREST INFO-

(IF ANY OF THE BELOW ITEMS ARE CHECKED AS NO, EXPLAIN IN NARRATIVE)

- OFFENDER(S) HANDCUFFED BEHIND BACK? YES NO
- OFFENDER(S) SEARCHED FOR WEAPONS AND/OR ILLEGAL CONTRABAND? YES NO
- REAR SEAT OF PATROL VEHICLE CHECKED AT BEGINNING OF SHIFT? YES NO
- OFFENDER(S) SEAT BELTED IN BACK SEAT OF PATROL VEHICLE? YES NO
- MOST DIRECT ROUTE TAKEN TO JAIL? YES NO
- REAR SEAT OF PATROL VEHICLE CHECKED UPON TAKING OFFENDER(S) OUT OF BACK SEAT AT THE JAIL? YES NO
- AT JAIL, OFFICER(S) WEAPON SECURED IN GUN LOCK BOX/PATROL VEHICLE TRUNK? YES NO
- INSIDE INTAKE AREA, OFFENDER(S) HANDCUFFS REMOVED BY/IN PRESENCE OF CCSO? YES NO
- ALL ARREST PAPERWORK GIVEN TO CCSO? YES NO
- IF APPLICABLE, CCSO NOTIFIED OF OFFENDER(S) MEDICAL CONDITION(S) AND/OR SECURITY RISK(S). YES NO

-NARRATIVE-

On 11/16/11 at 2222 hours, I responded to Morrow Police Headquarters (6311 Murphy Drive, Morrow GA) to investigate a possible DUI driver. Upon my arrival, I met with Capt Tatroe MPD who advised me that the suspected DUI driver was the Morrow Police Chief. I then met with Sgt Smith MPD who advised me that at approx. 2050 hours he was stopped at the traffic light on Southlake Parkway E/B at SR 54 when he observed the offender's vehicle stopped next to him. When the traffic signal cycled, Sgt Smith turned left and observed in his rear view mirror the offender's vehicle not moving. He observed the vehicle behind the offender change lanes and go around the offender.

Sgt Smith turned around and came up behind the offender's vehicle. He observed the vehicle to be a Morrow City Police vehicle. The traffic signal cycled a second time and the offender's vehicle did not move. Sgt Smith pulled off the roadway and approached the vehicle and observed the offender, his Chief of Police, asleep at the wheel. He knocked on the windows and attempted to open the door to wake the offender. He was unable to gain entry or to wake the offender. At this time, the offender's vehicle began to slowly roll forward. Sgt Smith advised me that he moved his patrol vehicle nose-to-nose with the offender's vehicle to keep the offender from entering the intersection.

Sgt Smith then activated his overhead lights and approached the offender's vehicle. The offender was now awake and gave Sgt Smith a "thumbs up". Sgt Smith advised me that he observed the offender attempt to unlock or lower a window. The offender fumbled and after multiple attempts, he was able to lower the rear window. The offender then fumbled with the door switches again and was able to lower the driver's side window half way. Sgt Smith advised me that at this time he could smell the strong odor of an alcoholic beverage about the offender's person. He observed the offender's eyes to be red and glassy and his speech was slurred.

Sgt Smith asked the offender if he was okay. The offender advised Sgt Smith that he was waiting for the light to change. Sgt Smith advised the offender that the light had cycled twice and that he was asleep. The offender told Sgt Smith that he had not fallen asleep. Sgt Smith then told the offender to pull over off the roadway so he could check him to see if he was okay to drive. The offender replied, "I will get right on it buddy." The offender did not move his vehicle, at which point, Sgt Smith told the offender to place his vehicle in park. The offender put his vehicle in reverse and drove around Sgt Smith's patrol vehicle and turned onto SR 54. Sgt Smith advised me that he followed the offender and observed him fail to maintain his lane by crossing over the lane divider lines and jerk back into his lane. Sgt Smith



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observed the offender traveling in excess of the posted speed limit on S. Lee Street. The offender was estimated to be traveling at 40 mph on the wet roadway. The offender then pulled into his parking space at Morrow Police Headquarters. Sgt Smith completed a written statement of his observations and his contact with the offender.

I was advised that the offender was in the rear of the building smoking a cigarette and that he was accompanied by another Morrow employee. I made contact with the offender and I could smell the overwhelming odor of an alcoholic beverage about his breath and body. The offender's eyes were red and glassy and his speech was slurred. I advised the offender of my name and advised him of why I was called to the scene. The offender replied, "Yeah, okay".

I asked the offender if we could step to the front of the building where we could talk. The offender asked why and I advised him again that I wanted to make sure he was okay to drive. The offender stated, "Sure, but I'm not driving". I then asked the offender how much alcohol he had consumed. The offender replied by stating, "What does that matter?" I advised the offender of my observations and he stated, "Yeah, okay" in what I interpreted as a sarcastic tone in his voice. I asked the offender if he would attempt to perform field sobriety tests. The offender refused to attempt the tests. The offender then refused to blow into a portable breath tester.

Due to my observations and the offender's condition, I believed the offender was under the influence of alcohol to an extent that made him less safe to drive. I took the offender into custody and read him implied consent from the orange card for subjects 21 years of age and older. The offender refused to submit to a state administered chemical test of his blood under the implied consent law by stating "No". I placed the offender into the rear passenger area of my patrol vehicle and secured him with a seat belt.

I searched the offender's vehicle prior to releasing it to Capt Tatroe. I observed in plain view, multiple open cans of Natural Light Beer in the right rear floor board. The open cans were in a position that was within reach of the offender while he was driving. I counted the cans and counted 8-12 fl. oz. cans of Natural Light beer. All of the cans were 1/8th full. I also located an ice chest in the rear seat that contained two unopened bottles of Mike's Hard Lemonade. Also in the ice chest were 7 Natural Light Beer bottle caps. The beer was placed in the trunk of my patrol vehicle and later placed in the trash.

I transported the offender to the Clayton County Jail where he was released into the custody of the jail staff along with all respective paperwork. The offender's license was attached to DPS form 1205 that was signed by the offender.

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