



ATHENS-CLARKE COUNTY POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-08-0891

Case Status/Disposition: CLOSED/CLEARED / CLEARED BY ARREST

ORI GA0290100

INCIDENT INFORMATION					
Location			Zone 08B		
Address E HANCOCK AVE / N THOMAS ST			City ATHENS		State GA Zip 30601
Report Date 08/13/2013	Report Time 02:53	From Date 08/13/2013	From Time 01:44	To Date 08/13/2013	To Time 01:44

INCIDENT TYPE					
1		Description DUI - ALCOHOL		Statute 40-6-391	Location Type HIGHWAY/ROAD/ALLEY
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Completed <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 1	Weapon 3
Bias Motivation		Bias Target		Bias Circumstances	
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security
2		Description FAILURE TO OBEY TRAFFIC CONTROL DEVICE		Statute 40-6-20	Location Type HIGHWAY/ROAD/ALLEY
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Completed <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 1	Weapon 3
Bias Motivation		Bias Target		Bias Circumstances	
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security

Reporting Officer (5702) R SCHULTE		Approving Supervisor (156) D ECKERT	
Printed By (4359) I OROURKE		Date / Time 08/14/2013	
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VICTIMS						
1	Name (Last, First, M) STATE OF GEORGIA	DOB	Age 0	Sex	Race	
Address		City		State	Zip	
Home Phone	Student of	Hair Color	Eye Color	Height	Weight	
OLN	State	Employer			Business Phone	

OFFENDERS						
1	Name (Last, First, M) HERON, RYAN	DOB [REDACTED] 1982	Age 31	Sex M	Race W	
Address 145 KENWOOD DR		City ATHENS		State GA	Zip 30601	
Home Phone (619) 651-3440	Student of	Hair Color BRO	Eye Color HAZ	Height 5'09"	Weight 160 LBS	
OLN 057590287	State GA	Employer			Business Phone	

WITNESSES						
2	Name (Last, First, M) [REDACTED]	DOB [REDACTED] 1991	Age 21	Sex F	Race W	
Address [REDACTED]		City [REDACTED]		State	Zip	
Home Phone [REDACTED]	Student of	Hair Color BRO	Eye Color BRO	Height 5'04"	Weight 118 LBS	
OLN [REDACTED]	State	Employer			Business Phone	

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Athens-Clarke County Police Department
3035 Lexington Rd
Athens, Georgia 30605
(706) 613-3888

VEHICLE INFORMATION						
1	Tag Number [REDACTED]	Tag County GWINNETT	State GA	Tag Year 2014	VIN [REDACTED]	
Make JEEP	Model COMPASS	Year 2007	Color BLACK	Owner [REDACTED]		
Vehicle Notes						
Status NONE	Status Date 08/13/2013	Value	NIC Number			

Notes/Narratives

NARRATIVE

On this date I responded to Sgt Epps in reference to a vehicle he had stopped for running a red light at E Hancock and Thomas St. When I pulled up Sgt Epps advised that there was a heavy odor of alcohol coming from the vehicle and that the female passenger was vomiting. He went on to say that the driver almost caused Sgt Epps to crash into him when he ran the red light and that he felt the driver may also be intoxicated.

I walked up to the driver door and made contact with Mr. Heron. I also noticed right away the odor of alcohol and it was very strong. I asked Mr Heron to step out of the vehicle and speak to me. I had him walk over towards my vehicle where I continued to speak to him. When he spoke I detected the odor of alcohol coming from his breath and asked him where he was coming from. He advised that he was coming from his restaurant Dirty Birds downtown and that he was giving the highly intoxicated female a ride home. I asked him if he had been drinking and he told me that he had 3 beers and 1 shot but when he went into detail about his drinks he told me of 4 beers and a shot. He said the beers were a Bud Light, Michelob Ultra, 2 Midnight Brewing Company White, and a shot of Jameson which is a type of Whiskey. He went on to say that he started drinking around 1800 on 08/12/2013 and that he had the 2 beers the shot then two more beers. He also said that it was normal for him to drink this much during his work day at the restaurant. I then asked him if he would be willing to take some field sobriety tests and agreed.

I asked him if he had any issues with his eyes that I needed to know about and he said no. I then asked if he wore contacts or glasses and he advised he did wear soft contacts and that they were in. I was able to confirm this by looking at his eyes which I noticed were red and glassy. I asked what his contacts were for and he advised for seeing things far away. I asked him if he could see the tip of pen clearly and

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Notes/Narratives

he said he could. I then asked him to stand with his feet together and follow tip of my red light pen with his eyes and his eyes only while keeping his head still. I then checked for equal pupil size and equal tracking and then continued by checking for lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation, the onset of nystagmus prior to 45 degrees and finally vertical nystagmus. I noticed all 6 clues were present but I did not see any vertical nystagmus. While I was conducting this part of the test I did notice that Mr Heron seemed to be swaying a little.

I then asked Mr Heron if he had any issues that would stop him from walking a straight line or stand on one foot for a period of time and he advised that he had a [REDACTED]

[REDACTED] I asked him if it normally prevented him from walking or standing and he advised he would not be able to stand on his left foot at all but when asked if he would be willing to try the exercises he agreed. I started with the walk and turn test and asked Mr Heron to get into the instructional position. While he was in this position I noticed that he was having some trouble staying in this position. He asked after the instructions were finished if he could take off his flip flops and I said that would be fine. He got in the instructional stance and started the test. He counted his first step as step 2 instead of step 1 which gave him only 8 steps instead of 9. His turn was backwards and not in the manner I had instructed. On his second set of nine steps he again counted his first step as step number 2 and also said 3 while on the same step. He took a total of 4 steps back and then stepped off line and advised he could not complete that test. While he was taking this test his arms came up past 45 degrees and he was off balance for part of test.

On the one leg stand he advised again that he would not be able to stand on his left leg. I explained the test to him and advised him he could begin when ever he was ready. He then lifted his left leg off the ground and started to count. While his foot was elevated I noticed that he was having some trouble with his balance. He was leaning towards right side while his left foot was elevated.

I then asked him if he would be willing to blow into a alco sensor and he declined. I then placed him under arrest and placed him inn the back seat of patrol car. I then read him Implied Consent for persons over 21 and asked him if he would take the State Breath Test and he agreed. I then went over to Sgt Epps who advised he was going to stand by with the female and the vehicle until a cab arrived to take her home. He was also going to park the car but it had a dead battery so he called for a next in line tow truck and Bulldog Towing arrived and took possession of the vehicle.

I transported Mr Heron to the East Police Station where he took the State Breath Test on the Intox 5000. On the way to the Jail Mr Heron admitted that he ran the red light because he had sat there through 3 light cycles and did not get a green light. I set up the Intox and watched it as it went through its cycle. While it was doing this I explained to Mr Heron a little about the machine and what I needed

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him to do when the time was right. I took out my certification from the State of Georgia and left it out in plain view during the entire test. When the machine was ready I asked Mr Heron to stand up and blow into it until I asked him to stop. He gave a good breath sample which was positive for alcohol at a .182. I then told him to relax while the machine went through another tests cycle and when it was time again I asked him to blow into it again. Again he gave a good breath sample which was positive for alcohol at a .183. I then informed him of his test results even though he asked me not to tell him if it was over a .150. I printed off a few copies then walked Mr Heron out to my vehicle and placed him back in the back seat and took him out to the Jail. While at the Jail he signed for and received copies of his tickets for Red Light Violation and DUI. He also signed for and received a copy of his intox results. He was then turned over to Jail Staff without incident.

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