



UNIVERSITY OF GEORGIA POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-1256

ORI GA0290200

INCIDENT INFORMATION					
Location INTERSECTION OF BROAD AND CHURCH STREETS			Zone		SOL
Address CHURCH ST / BROAD STREET			City ATHENS		State GA
Zip 30601			Report Date 06/11/2013		Report Time 02:56
From Date 06/11/2013		From Time 02:56		To Date 06/11/2013	
				To Time 02:56	

INCIDENT TYPE					
1 Description DUI - ALCOHOL		Statute 40-6-391(a)1		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/> Used <input type="checkbox"/>		Weapon 1		Weapon 3	
Completed <input checked="" type="checkbox"/> <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 2			
Bias Motivation		Bias Target		Bias Circumstances	
Hate Group					
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security
2 Description TRAFFIC STOP		Statute NO STATUTE CODE		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/> Used <input type="checkbox"/>		Weapon 1		Weapon 3	
Completed <input checked="" type="checkbox"/> <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 2			
Bias Motivation		Bias Target		Bias Circumstances	
Hate Group					
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security
3 Description FAILURE TO MAINTAIN LANE / IMPROPER DRIVING		Statute 40-6-48		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/> Used <input type="checkbox"/>		Weapon 1		Weapon 3	
Completed <input checked="" type="checkbox"/> <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 2			
Bias Motivation		Bias Target		Bias Circumstances	
Hate Group					
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security

Reporting Officer (810005063) D LYNN		Approving Supervisor (810002463) L BLAKE	
Printed By (810005806) D GREGORY		Date / Time 06/11/2013	
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University of Georgia Police Department
 286 Oconee St. Suite 100
 Athens, Georgia 30602
 (706) 542-5813

ORIGINAL

INCIDENT TYPE						
Description TOWED, ABANDONED VEHICLE			Statute NO STATUTE CODE		Location Type HIGHWAY/ROAD/ALLEY	
Attempted	<input type="checkbox"/>	Used	Weapon 1		Weapon 3	
Completed	<input checked="" type="checkbox"/>	<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers	Weapon 2			
Bias Motivation		Bias Target		Bias Circumstances		Hate Group
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security	

VICTIMS						
Name (Last, First, M) STATE OF GEORGIA			DOB		Age 0	Sex R
Address			City		State	Zip
Home Phone		UGA Affiliation		Hair Color	Eye Color	Height
Weight	OLN	State	Employer	Business Phone		Student of

OFFENDERS						
Name (Last, First, M) NEEL, JOHN SANFORD			DOB		Age 21	Sex M
Address			City		State	Zip
UGA Affiliation STUDENT - UGA		Hair Color BRO	Eye Color BRO	Height 6'00"	Weight 160 LBS	
Business Phone				Student of UNIVERSITY OF GEORGIA		

Reporting Officer (810005063) D LYNN		Approving Supervisor (810002463) L BLAKE	
Printed By (810005806) D GREGORY		Date / Time 06/11/2013	

VEHICLE INFORMATION					
1	Tag Number	Tag County	State	Tag Year	VIN
		BIBB	GA	2013	
Make	Model	Year	Color	Owner	
CHEVROLET	TAHOE	2006	BLUE / BLUE	NEEL, JOHN	
Vehicle Notes					
Status		Status Date	Value	NIC Number	

Notes/Narratives

NARRATIVE

On 06/11/13 at 0233 hours I was traveling east on Prince Avenue approaching Milledge Avenue. As I approached Milledge Avenue I saw a blue 2006 Chevrolet Tahoe straddling the lane line as it progressed east on Prince Avenue. The vehicle then made a wide right turn onto Milledge Avenue crossing the center line as it did so. The vehicle's passenger side tires touched the curb resulting in an overcorrection to left, crossing the center lane line as it did so. I followed the vehicle south on Milledge Avenue and observed several instances of the vehicle crossing the lane line into the turn lane. At the intersection of Milledge Avenue and Reese Street, the vehicle completely crossed the lane of travel and turn lane and entered the oncoming lane of travel. I stopped behind the vehicle at the intersection of Broad Street and Milledge Avenue and began to notify dispatch that I was making a traffic stop. The vehicle began to turn east on Broad Street when I initiated my emergency lights to stop it. The final for the stop was on Church Street on the north side of Broad Street. Once the vehicle stopped and I made contact with him. I asked the driver if he was okay and explained why I stopped him. I asked the driver where he was headed and he said he had visited a friend on "Milledgeville" Street and was headed home. While the driver was explaining this I smelled a strong odor commonly associated with an alcoholic beverage coming from his breath and noticed that his eyes were glassy. I then returned to my vehicle to run his driver information.

I went back to speak with the driver. I explained to the driver that I wanted to ask him some questions and he agreed. I asked the driver how much alcohol he had to drink. The driver stated he had not been drinking anything that night. I repeated the question and noted to the driver that I smelled a strong odor commonly associated with an alcoholic beverage but he maintained he had not consumed any alcohol that night. I asked the driver what the time and date was and he stated the correct time and date.

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Notes/Narratives

I asked the driver to exit the vehicle to perform field sobriety. When exiting the vehicle the driver spilled a cup of change on the street. His exit from the vehicle was unbalanced and he needed to support himself on the side of the vehicle as he did so. I asked the driver if he had any head or leg injuries and he stated he did not. While the driver answered the questions I continued to smell the odor commonly associated with an alcoholic beverage coming from his breath.

Prior to beginning each evaluation, I provided verbal instructions and demonstrated each exercise. After each set of instructions, the driver stated he understood the directions as I had given them. I conducted three standardized evaluations. The exercises were performed in the roadway on Church Street. The surface was dry and level asphalt. There was nothing present to make the surface slippery. There was light from the headlights, street lights, and my flash light. There were no emergency lights on our patrol vehicles activated during the field sobriety evaluations.

Horizontal Gaze Nystagmus

Observations:

- I saw no resting nystagmus in the driver's eyes.
- The driver had equal pupil size in both eyes.
- The driver had equal tracking in both eyes.

Clues:

- I saw lack of smooth pursuit in both eyes. (2 clues)
 - I saw distinct and sustained nystagmus at maximum deviation in both eyes. (2 clues)
 - I saw onset of nystagmus prior to 45 degrees. (2 clues)
 - I saw a total of six clues during this evaluation.
- I saw no vertical nystagmus.

Walk and Turn

I instructed the driver to use a long, uninterrupted crack in the pavement on Church Street.

Clues:

- Misses heel to toe (more than 1/2"): The driver missed heel to toe more than 1/2" inch on steps 5,7 and 8.
- Stepped off the line on steps 5, 7 and 8 before the turn and missed all steps on the return. The driver had to stop after the turn and regain his balance midway through his return. The driver had to use his

Reporting Officer (810005063) D LYNN	Approving Supervisor (810002463) L BLAKE
Printed By (810005806) D GREGORY	Date / Time 06/11/2013

Notes/Narratives

vehicle for support after he finished the walk.

-Stops while walking: The driver stopped midway through his walk after the turn. The driver regained his balance and made 12 steps back to his original starting position.

-Improper steps: The driver made 12 steps before the turn and 12 steps after the turn.

-I saw a total of 4 clues during this evaluation.

One Leg Stand

The driver raised his right leg.

Clues:

-Puts foot down

-Sways

-I saw a total of 2 clues during the evaluation. The driver used the vehicle for support during this exercise.

Based on the driver repeatedly failing to maintain lane, entering the ongoing lane of travel, the odor of commonly associated with an alcoholic beverage coming from his breath, I believed the driver to be less safe and impaired by alcohol while driving his vehicle. I placed the driver under arrest at 0256 hours for failing to maintain lane and DUI-alcohol. I placed the offender in double locked handcuffs behind his back. I read the offender the Georgia Implied Consent Notice for Suspects Age 21 Or Over from my Georgia Implied Consent Notice Card and he refused to provide a breath sample. I searched the offender incident to arrest and he was seated in the rear seat of my patrol vehicle. I repeatedly asked the offender if he wanted anyone to remove his vehicle but he stated that he didn't. The next in line wrecker service was called and Travis with Barrett's Towing arrived on scene to remove the vehicle.

The offender was issued citations for failure to maintain lane 40-6-48 (citation #038685), D.U.I alcohol 40-6-391 (citation #038684). The offender was transported to the Clarke County Jail where he and his belongings which consisted of a cell phone, wallet and \$3.00 were released to jail personnel.

There is MVR available that shows the vehicle in motion, traffic stop and the field sobriety exercises.

CONTINUATION

Reporting Officer (810005063) D LYNN	Approving Supervisor (810002463) L BLAKE	
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286 Oconee St. Suite 100
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(706) 542-5813

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Notes/Narratives

[EMPTY]

Reporting Officer (810005063) D LYNN	Approving Supervisor (810002463) L BLAKE
Printed By (810005806) D GREGORY	Date / Time 06/11/2013
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286 Oconee St. Suite 100
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(706) 542-5813

ORIGINAL



UNIVERSITY OF GEORGIA POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-1241

ORI GA0290200

INCIDENT INFORMATION					
Location JOE FRANK HARRIS			Zone		SOL/J.P.
Address CARLTON ST			City ATHENS	State GA	Zip 30602
Report Date 06/07/2013	Report Time 14:55	From Date 06/07/2013	From Time 14:26	To Date 06/07/2013	To Time 14:26

INCIDENT TYPE					
1		Description DRIVING WITHOUT A VALID LICENSE (M)		Statute 40-5-20(a)	Location Type HIGHWAY/ROAD/ALLEY
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers <input type="checkbox"/>		Weapon 1	Weapon 3
Completed <input checked="" type="checkbox"/>				Weapon 2	
Bias Motivation		Bias Target		Bias Circumstances	Hate Group
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security
2		Description SEAT BELT REQUIRED - ADULTS		Statute 40-8-76.1	Location Type HIGHWAY/ROAD/ALLEY
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers <input type="checkbox"/>		Weapon 1	Weapon 3
Completed <input checked="" type="checkbox"/>				Weapon 2	
Bias Motivation		Bias Target		Bias Circumstances	Hate Group
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security

Reporting Officer (810351750) M BROWNING		Approving Supervisor (810197490) G RANKIN	
Printed By (810005806) D GREGORY		Date / Time 06/10/2013	Page 1 of 4

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286 Oconee St. Suite 100
Athens, Georgia 30602
(706) 542-5813

ORIGINAL

VICTIMS								
1		Name(Last, First, M) STATE OF GEORGIA			DOB	Age 0	Sex	Race
Address				City		State	Zip	
Home Phone		UGA Affiliation		Hair Color	Eye Color	Height	Weight	
OLN	State	Employer		Business Phone		Student of		

OFFENDERS								
1		Name(Last, First, M) ATKINS, JOHNATHON BANDAZIOUS MARIO			DOB	Age 20	Sex M	Race B
Address				City		State	Zip	
		UGA Affiliation STUDENT - UGA		Hair Color BLK	Eye Color BLK	Height 6'04"	Weight 310 LBS	
		Employer		Business Phone		Student of UNIVERSITY OF GEORGIA		

Reporting Officer (810351750) M BROWNING		Approving Supervisor (810197490) G RANKIN	
Printed By (810005806) D GREGORY		Date / Time 06/10/2013	
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University of Georgia Police Department
 286 Oconee St. Suite 100
 Athens, Georgia 30602
 (706) 542-5813

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Notes/Narratives

NARRATIVE

On 060713 at 1426 hours while watching for stop sign and seatbelt violations at the Joe Frank Harris Commons loading dock on Carlton Street, I observed a black male in a black GMC Sierra [REDACTED] turn left onto Carlton Street from River Road. As the vehicle passed by me I observed that the driver, wearing a bright yellow shirt, was not wearing his seatbelt. I initiated a traffic stop on the vehicle and the final for the stop was the Parking Services parking lot at the back side of the Ramsey Center. I made contact with the driver, Johnathon Bandazious Mario Atkins [REDACTED] who stated that he was not wearing his seatbelt because he thought he did not have to while driving a truck. I explained to Atkins the law and asked for his license.

Upon returning to my patrol vehicle I ran Atkins' license through GCIC. Both Atkins' physical license and the GCIC results showed that he had been issued a "CP" class license. Atkins was the only occupant of the vehicle. Because my vehicle was not equipped with a cage and I was a single unit, I requested another unit be en route to help with transport. I then explained to Atkins that he was driving on a "CP" class license which meant he was allowed to do so only with a valid license holder in the vehicle with him. I then explained to Atkins that he would be placed under arrest. I gave Atkins an opportunity to call someone to remove the vehicle from the parking lot as it was not in a legal space. At 1447 hours I placed Atkins under arrest for Driving Without a Valid License (40-5-20). Atkins was placed into two sets of handcuffs due to his extreme stature (6'04", 310 lbs) and lack of flexibility in his arms, and the size of his wrists. Atkins hands were secured behind his back and both sets of handcuffs were double-locked. Atkins was searched incident to arrest, placed in the rear of my patrol vehicle and was secured using lap and shoulder belts.

At 1448 hours I began transport to Athens -Clarke County jail where Atkins was issued a warning for Use of Safety Belts (40-8-76.1) and a citation for Driving While Unlicensed (40-5-20 / #039520). Atkins and his belongings were turned over to Cpl Johnson with ACC Sheriff's Office.

Officer Gibbs remained on scene with the vehicle while I transported Atkins. At 1454 hours Xzavier Ward [REDACTED] arrived at Gibbs location and removed the vehicle.

There is no MVR footage available for this incident.

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 (706) 542-5813

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Notes/Narratives

CONTINUATION

[EMPTY]

Reporting Officer (810351750) M BROWNING	Approving Supervisor (810197490) G RANKIN	
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Reference made under OCGA Section 58-18-72 (a) (2)(b) (1) All other records of pending investigation exempt under OCGA Section 58-18-72 (a) (1)

ATHENS-CLARKE COUNTY POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-06-0656

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

ORI GA0290100

INCIDENT INFORMATION					
Location			Zone 08		
Address PRINCE AVE / BARBER ST			City ATHENS		State Zip 30601
Report Date 06/11/2013	Report Time 04:04	From Date 06/11/2013	From Time 03:07	To Date 06/11/2013	To Time 03:07

INCIDENT TYPE					
1 Description DUI - ALCOHOL		Statute 40-6-391(a)1		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers <input type="checkbox"/>		Weapon 1 Weapon 2 Weapon 3	
Bias Motivation		Bias Target		Bias Circumstances Hate Group	
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security
2 Description FAILURE TO MAINTAIN LANE / IMPROPER DRIVING		Statute 40-6-48		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers <input type="checkbox"/>		Weapon 1 Weapon 2 Weapon 3	
Bias Motivation		Bias Target		Bias Circumstances Hate Group	
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security

Reporting Officer (7441) S VAN BUEREN		Approving Supervisor (4062) T SCOTT	
Printed By (7707) S BROWN		Date / Time 06/11/2013	
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Athens-Clarke County Police Department
3035 Lexington Rd
Athens, Georgia 30605
(706) 613-3888

Printed: Jun 11, 2013 10:33 AM BY STRAIS

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) MOORE, CHRISTINE M	DOB [REDACTED] 1992	Age 21	Sex F	Race W	
Address [REDACTED]		City [REDACTED]		State	Zip	
Student of		Hair Color BRO	Eye Color BLU	Height 5'04"	Weight 120 LBS	
State GA		Employer		Business Phone		

VEHICLE INFORMATION						
1	Tag Number [REDACTED]	Tag County MUSCOGEE	State GA	Tag Year 2013	VIN [REDACTED]	
Make DODGE	Model NEON	Year 2004	Color RED	Owner MOORE, CHRISTINE M		
Vehicle Notes						
Status NONE	Status Date 06/11/2013	Value		NIC Number		

Reporting Officer (7441) S VAN BUEREN	Approving Supervisor (4062) T SCOTT
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Notes/Narratives

NARRATIVE

On 06-11-2013 I was driving westbound on Dougherty St. behind a red in color 2004 Dodge Neon, tag: [REDACTED] driven by Christine Moore. As we approached the intersection of Dougherty/ Pulaski, I noticed that Moore was in the left lane with her right blinker on, but she was not merging into the right hand lane, and there was no other traffic at that time. I also observed Moore swerve out of her lane to the left, crossing the double yellow lines at which point about half of her vehicle was in the oncoming lane of traffic, and then back to the right, across her lane, crossing the dotted white lines. Moore once again re-corrected her vehicle to the left, causing her left tires to drive over the double yellow lines, before settling back into her lane as she crossed through the intersection, continuing on to Prince Ave.

I initiated a traffic stop at 2:40am at the intersection of Prince Ave/ Barber St. Upon approach of the vehicle I made contact with Moore and got her driver's license. As soon as made contact, I could smell the odor of an alcoholic beverage coming from inside the vehicle. I asked Moore where she was coming from and she stated that she had been downtown and was going to the gas station before heading home. When I asked Moore how much she had to drink, she stated that she had a couple of beers.

I then asked Moore if she would be willing to step out of the vehicle and do SFST. Moore exited the vehicle and walked over to a straight and level area of the parking lot. Upon her exit of the vehicle I could smell the odor of an alcoholic beverage coming from both Moore's person/ breath. I continued to smell this odor throughout SFST (and eventually during the entire drive to PD and the jail, after being placed under arrest and put in the back of my patrol car). The following are the instructions read and the results of SFST for Moore:

Horizontal Gaze Nystagmus:

- 1.I am going to check your eyes.
- 2.(Are you wearing any contacts?) Keep your head still and follow this stimulus with your eyes only.
- 3.Do not move your head.
- 4.Do you understand the instructions?

Results:

- xLack of smooth pursuit: Left eye
- xLack of smooth pursuit: Right eye
- xDistinct and sustained nystagmus maximum deviation: Left eye

Reporting Officer (7441) S VAN BUEREN	Approving Supervisor (4062) T SCOTT
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Notes/Narratives

- xDistinct and sustained nystagmus maximum deviation: Right eye
- xOnset of nystagmus prior to 45 degrees: Left eye
- xOnset of nystagmus prior to 45 degrees: Left eye

While administering HGN, Moore had a difficult time following the instructions that I gave her. Numerous times Moore struggled to keep her head still and follow the stimulus with her eyes only. Moore also was laughing/ giggling numerous times, causing me to have to stop and restart multiple times.

I also observed vertical Nystagmus on Moore, which indicates that Moore consumed a higher amount of alcohol than she normally would have consumed.

Walk and Turn:

- 1.Put your left foot on the line and then your right foot in front of it with your right heel touching your left toe. Keep your hands at your side. (Demonstrate)
- 2.Do not walk until I tell you to.
- 3.Do you understand?
- 4.When I tell you to begin, take 9 heel-to-toe steps.
- 5.When you turn, keep your front foot on the line and turn taking a series of small steps with the other foot. (At this time I demonstrated to Moore the instructions up until this point)
- 6.Keep your arms at your sides at all times, watch your feet, and count each step out loud. Do not stop until you have completed the test.
- 7.Do you understand the instructions?
- 8.You may begin.

Results:

- xCan't keep balance while listening to instructions
- xStarts before instructions are finished
- _Stops walking to steady self
- xDoes not touch heel-to-toe
- xLoses balance while walking (steps off line)
- _Uses arms for balance (raises arms over six inches)
- _Loses balance while turning, turns incorrectly)
- _Incorrect number of steps
- _Cannot do test (steps off line three or more times)

One-Leg-Stand Instructions:

- 1.Stand with your heels together and your arms at your side. (Demonstrate)

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2. Do not begin test until I tell you to.
 3. When I tell you to, I want you to raise one leg about six inches off the ground. Hold that position and count out loud 1001, 1002, 1003, and so forth until I tell you to stop looking down at raised foot.

(Demonstrate)

4. Do you understand the instructions?

5. You may begin the test.

Results:

Sways while balancing

Uses arms to balance (raises arms over six inches)

Hopping

Puts foot down

Cannot do tests (puts foot down three times)

Based upon my observations of Moore's driving; the admittance of drinking; the odor of an alcoholic beverage coming from inside the vehicle as well as from her person/ breath after exiting the vehicle; the number of clues (13) during SFST, I placed Moore under arrest for DUI. I walked Moore to my patrol car and had her sit down in the back seat, at which point I pulled out my Implied Consent card which I carry in my wallet and read Implied Consent for suspects age 21 or over. When I asked for consent of breath, Moore tried to ask me questions about what I read. I explained to Moore that I was not able to explain anything, but that I simply needed a yes/ no response. Moore continued to question me about what would happen, depending on her choice. Once again I told her that I could not explain and eventually she asked me to re-read it again.

I then re-read Implied Consent and asked for a breath sample. Moore once again began asking me questions. I informed Moore that if she would not answer the question, it would be considered a refusal. Moore eventually did give consent to the state's breath test. After securing her vehicle in the parking lot, I transported Moore to PD where Sgt. T. Scott administered the Intox 5000. Moore gave two good breath samples. The first sample was .089 and the second was .079. The time of the second sample was 3:43am, over an hour after the time of the stop. Based upon my training and experience, the average person's BAC drops approximately .015 per hour. It would then be very reasonable to believe that Moore's BAC was over .08 at the time of the traffic stop.

I then transported Moore to the jail where she was turned over to the custody of CCSO. Moore was issued two citations: DUI - less safe and Failure to Maintain Lanes.

Reporting Officer (7441) S VAN BUEREN	Approving Supervisor (4062) T SCOTT
Printed By (7707) S BROWN	Date / Time 06/11/2013

Notes/Narratives

CONTINUATION

[EMPTY]

Reporting Officer (7441) S VAN BUEREN	Approving Supervisor (4062) T SCOTT
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