



ATHENS-CLARKE COUNTY POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-01-1681

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

ORI GA0290100

INCIDENT INFORMATION					
Location ENTRANCE TO ASPEN HEIGHTS			Zone 10		
Address [REDACTED]			City ATHENS		State GA Zip 30605
Report Date 01/27/2013	Report Time 03:10	From Date 01/27/2013	From Time 02:12	To Date 01/27/2013	To Time 02:14

INCIDENT TYPE					
1	Description DUI - ALCOHOL		Statute 40-6-391	Location Type HIGHWAY/ROAD/ALLEY	
	Attempted ☐	Used ☐	Weapon 1 Weapon 2		
Completed ☒		☐ Alcohol ☐ Drugs ☐ Computers	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 ☐	Used ☐	Weapon 1 Weapon 2		
Completed ☒		☐ Alcohol ☐ Drugs ☐ Computers	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 (3322) L MADDOX	Date / Time 01/27/2013
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3035 Lexington Rd
Athens, Georgia 30605
(706) 613-3888

VICTIMS								
1	Name (Last, First, M) STATE OF GEORGIA				DOB	Age 0	Sex 0	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) CULPEPPER, PHILLIP TERRY				DOB [REDACTED] 1991	Age 21	Sex M	Race W
Address				City		State	Zip	
Home Phone [REDACTED]		Student of		Hair Color BRO	Eye Color BRO	Height 5'10"	Weight 160 LBS	
OLN		State	Employer			Business Phone (000) 000-0000		

VEHICLE INFORMATION						
1	Tag Number	Tag County	State	Tag Year	VIN	
[REDACTED]						
Make DODGE	Model INTREPID	Year 1998	Color SILVER	Owner CULPEPPER, PHILLIP TERRY		
Vehicle Notes						
Status NONE		Status Date 01/27/2013	Value	NIC Number		

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Notes/Narratives**NARRATIVE**

On 01-27-2013 at approximately 2:10am I was patrolling east bound on Oconee St. As I was passing the Waffle House next to US 10/ Inner Loop I observed a silver in color 1998 Dodge Intrepid, [REDACTED] swerving within the right hand lane. As we passed under the US 10 bridge on Oconee St. I observed said vehicle swerve left and into the left hand lane and then back over into the right hand lane. As we approached the red light at US 10/ Outer Loop I observed said vehicle once again failing to maintain its lane. As I was following this vehicle we turned right onto Barnett Shoals Rd. and said vehicle made a very wide right turn, all the way in to the left hand lane of Barnett Shoals Rd, and then immediately cut hard back right, into the right hand lane of Barnett Shoals Rd.

At this point I initiated a traffic stop on said vehicle, final destination 314 Barnett Shoals Rd. (entrance to Aspen Heights). As I approached said vehicle I made contact with the driver, Philip Culpepper, and immediately smelled the odor of an alcoholic beverage coming from the vehicle. When I asked Culpepper where he was headed, he said that he was taking his friend, [REDACTED] to his house. As Culpepper talked to me, I noticed that his speech was slurred.

I asked Culpepper where he was coming from and he stated that he and [REDACTED] had been at a bar downtown. I asked Culpepper if he had been drinking and he said that he had a couple of drinks. When asked how many a couple of drinks were, Culpepper said that he had two beers. Based on my observations of Culpepper's driving, the smell of the odor of an alcoholic beverage and the admittance of drinking, I decided to do Standardized Field Sobriety Tests.

I asked Culpepper to step out of his vehicle and walked him over to the side walk, which was straight and level. The following are the instructions, clues and results for SFST:

Horizontal Gaze Nystagmus:

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

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Notes/Narratives**Results:****XLack of smooth pursuit: Left eye****XLack of smooth pursuit: Right eye****XDistinct and sustained nystagmus maximum deviation: Left eye****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****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 _____ 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****XStops 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)****XIncorrect number of steps****XCannot 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)****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)**

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Notes/Narratives

4. Do you understand the instructions?

5. You may begin the test.

Results:

XSways while balancing

_Uses arms to balance (raises arms over six inches)

_Hopping

XPuts foot down

XCannot do tests (puts foot down three times)

Based on my observations of Culpepper's driving, the smell of the odor of an alcoholic beverage coming from the vehicle and his person, the admittance of drinking and the results of the clues (15) to SFST, and the fact that he was unable to finish Walk and Turn and One-Legged Stand, I had Probable Cause that Culpepper was driving under the influence of alcohol. I placed Culpepper under arrest and handcuffed him DLBB and walked him to my patrol car where I immediately read him Implied Consent over 21. Culpepper consented to give a sample of his breathe.

The other officer at the scene stayed with the vehicle until Barrett's showed up and towed the vehicle.

At this point I transported Culpepper to the East Police Department where I met Sgt. Scott, who is certified at the Intoxilyzer 5000. Culpepper gave two breathe samples. The first time Culpepper blew, the results were a .205 and the second time he blew the result was .204. I then transported Culpepper to the Clarke County Jail where he was turned over to the custody of CCSO.

Culpepper was given two citations, one for DUI (40-6-391) and the other for Failure to Maintain Lanes (40-6-48). Audio will be attached to this report.

CONTINUATION

[EMPTY]

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