

DRUG RECOGNITION EVALUATION
DPS 339



Rolling Log No. 08-19-19 Case Number 08AV05901

Page of TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL Offense(s) Charged

Name (Last, First, Middle) [Redacted] DOB [Redacted] Age 36 Sex M Arresting Officer (Name/Agency) S/TPR RAVELIN VSP-Williston

Date/Time of Arrest 12-29-08 2220 Breath test results .000 Time 2220 Refused Instrument # 042506 Date/Time/Location of Examination 12-29-08 2245 Williston Barracks

Admission of Rights given by? S/TPR RAVELIN Rights Waived? [X] Yes [] No What have you eaten today? FRENCH FRIES/CHICKEN WINGS 1300 Time? 1300 What have you been drinking? NOTHING How much? Time of last drink?

Time Now? 2230 When did you last sleep? YESTERDAY How long? 4 hrs Are you sick or injured? HEAD COLD [X] Yes [] No Are you diabetic or epileptic? [] Yes [X] No

Do you take insulin? [] Yes [X] No Do you have any physical defects? [X] Yes [] No Are you under the care of a doctor/dentist? [] Yes [X] No

Are you taking any medication or drugs? AMBIVEN 10 mg [X] Yes [] No Do you have high blood pressure or heart disease? [] Yes [X] No Have you ever had a severe head injury? [] Yes [X] No Do you have brain damage? [] Yes [X] No

Speech SLURRED Altitude/Behavior COOPERATIVE Coordination POOR Face NORMAL Breath/Odors NORMAL

Corrective Lenses [] Glasses [] Contacts [] Hard [] Soft [X] None [] Normal [X] Bloodshot [X] Watery Blindness [X] None [] Right Eye [] Left Eye

Pupil size [X] Equal [] Unequal (explain) Able to follow stimulus? [X] Yes [] No Eyelids [] Retracted [] Normal [X] Droopy

Pulse & Time: 1. 92 2253, 2. 100 2307, 3. 92 2321. HGN: Lack of smooth pursuit, Max. deviation, Angle of onset. Right eye: [X] Yes, Left eye: [X] Yes. Vertical nystagmus? [] Yes [X] No. Convergence: DID NOT CROSS. (3) One leg stand: Count # 15, Count # 21.

(1) Romberg Balance: B/F, S/S. (2) Walk and turn: Diagrams showing path. Cannot keep balance, Started too soon. Stopped walking, Missed heel-toe, Stepped off line, Raised arms. Actual steps taken: 10, 10. Body tremors, Sways while balancing, Used arms to balance, Hopping, Put foot down. Type of footwear: SNEAKERS.

Internal clock 29 Estimated as 30 sec. Describe turn TURNED WRONG WAY Cannot do test (explain)

(4) Finger/Nose: Right, Left. Pupil Size: MM. Nasal area CLEAR. Oral cavity/Tongue White F. / DRY MOUTH.

INDICATE FRESH OR OLD PUNCTURE MARKS. Attach Photos of Fresh Puncture Marks (optional). Diagrams of face and body with puncture marks. Front and Back views. (R-L), (L-R).

Blood pressure 119/96 Temperature 96.2 °F Chemical test time: [] Urine [] Blood [] Both tests refused

Muscle tone [X] Near Normal [] Flaccid [] Rigid Comments

Drug admission? AMBIVEN / 1900 hrs Witness: S/TPR WAGNER

Examining Officer RAVELIN I.D. Number IACP/DRE # 15470

Agency VSP-Williston Reviewed by [Signature] DRE-Ravelin Original of Evaluator: [] Alcohol [] Stimulant [] Dissociative Anesthetic [] Inhalant [] Medical [] Depressant [] Hallucinogen [] Narcotic Analgesic [] Cannabis

[Redacted Name]

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted at the State Police Barracks in Williston in the DRE processing room.

2: **Witness:** The entire evaluation was witnessed by S/Tpr. Wagner

3: **Breath Test:** A preliminary breath test result was obtained from [Redacted] at approximately 2220 hours with a result of .000% BrAC using an Alco IV serial number 042506.

4: **Notification/Interview of A/O:** I was notified by VSP Williston Dispatch who received a 911 call of a vehicle weaving in the roadway almost striking the guardrails. I observed the vehicle traveling north on Interstate 89 near mile marker 81. The vehicle was weaving in its lane and traveling at approximately 58 mph in a posted 65 mph zone. I initiated a motor vehicle stop and made contact with [Redacted]

5: **Initial Observations:** I noted his eyes were watery and blood shot. [Redacted] speech was slurred. I asked [Redacted] if he had consumed any alcohol. He stated he did not. [Redacted] stated he just woke up from a nap and was on his way to work. I asked [Redacted] to perform Field Sobriety Exercises. After performing poorly [Redacted] provide a sample of his breath with a PBT result of .000% BrAC. [Redacted] stated he took a prescription Ambien a few hours ago to get some sleep before leaving for work.

6: **Medical Problems:** [Redacted] stated when he returned from Iraq he spoke with a doctor about bad dreams and lack of sleep. [Redacted] was given a prescription for Ambien 10 mg. [Redacted] also stated he had been around approximately ten IEDs (Improvised Explosive Devices) while stationed in Iraq. After each IED, [Redacted] stated he was diagnosed with a concussion after each explosion.

7: **Psychophysical Tests:** [Redacted] exhibited eye lid tremors on the Romberg Balance. On the Walk and Turn, [Redacted] missed touching heel to toe on steps number seven and nine in the first nine steps, he turned incorrectly by turning the wrong direction, stepped off line on number six in the second nine steps. [Redacted] took ten steps up and back when instructed to take nine. On the One Leg Stand while standing on the left foot, [Redacted] swayed while balancing, used his arms for balance and put his foot down twice. He counted slowly reaching number fifteen in thirty seconds. [Redacted] used the wall for balance. While balancing on the right foot, [Redacted] swayed while balancing and started hopping to keep his balance. [Redacted] exhibited body tremors throughout the exercise. On the Finger to Nose, [Redacted] failed to touch his finger tip to the tip of his nose on all of the left commands. [Redacted] touched his eye instead.

Subscribed and sworn to before me on

this 1 day of January 2009

[Redacted Signature] (Notary Public) (Judicial Officer)

[Redacted Signature] (Affiant) 1-1-09 (date)

Name (Last, First, Middle)

Violations
T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

8: **Clinical Indicators:** EYES: [redacted] pupils were equal size and he was able to follow a stimulus. He had reddened conjunctiva and watery eyes. I noted his eye lids were droopy. [redacted] eyes did not converge. VITAL SIGNS: [redacted] pulse rate was above normal on all three readings. (92,100 and 92). His blood pressure was above normal at 119/96. His body temperature was below normal at 96.2 degrees.

9: **Signs of Ingestion:** There were no visible signs of ingestion.

10: **Statements:** [redacted] stated he took a prescribed Ambien at approximately 1900 hours. He advised he works the night shift and returned home at approximately 0900 and had to provide child care for his three daughters. [redacted] stated he wanted to get some sleep before leaving for work at 2200 hours so he took an Ambien and laid down for a nap. [redacted] stated he got up approximately two and one half hours after lying down and got ready for work. He stated he felt like he had "medicine head".

11: **Opinion of Evaluator:** Based on the evaluation it was determined to be a rule out. I have requested an Operator Re-Examination for [redacted] based on the statements made about his prescription and concussion sustained while in Iraq.

12: **Toxicological Sample:** None

13. **Miscellaneous:** I am a Nationally Certified Drug Recognition Expert since July 2008

Subscribed and sworn to before me on

this 1 day of September 2009

[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
1-1-09
(date)