

STATE OF VERMONT
DRUG RECOGNITION EVALUATION
 DPS 339



Rolling Log No. 08-15-15 Case Number 08A104342

Page 1 of 3 TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL

Offense(s) Charged
DUI/ POSSESSION

Name (Last, First, Middle) [REDACTED] DOB [REDACTED] Age 26 Sex M Arresting Officer (Name/Agency) OFFICER SAWYER ESSEX P.D.

Date/Time/Location of Test 9-24-08 2320 Present Test Results 0.00% Time 2319 Refused Instrument # 042728 Date/Time/Location of Examination 9-24-08 2335

Admonition of Rights given by? OFFICER SAWYER/2332 Rights Waived? Yes No What have you eaten today? _____ Time? _____ What have you been drinking? _____ How much? _____ Time of last drink? _____

Time Now? _____ When did you last sleep? _____ How long? _____ Are you sick or injured? Yes No Are you diabetic or epileptic? Yes No

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

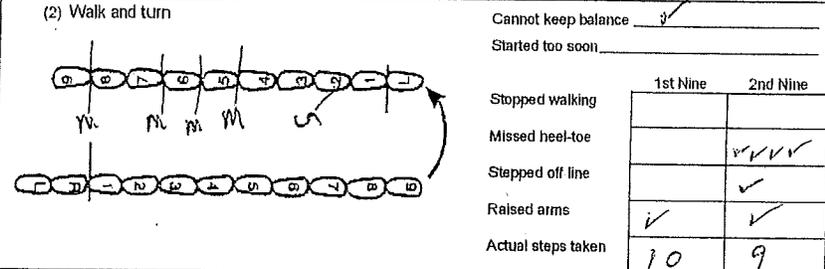
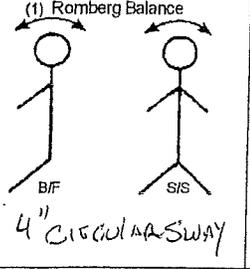
Are you taking any medication or drugs? Yes No Do you have high blood pressure or heart disease? If yes, describe. Yes No Have you ever had a severe head injury? Yes No Do you have brain damage? Yes No

Speech Low/Raspy/slurred Attitude/Behavior Drowsy in the no's Coordination Poor Face Droopy Breath/Odors NORMAL

Corrective Lenses Glasses Contacts Hard Soft None Eyes Normal Bloodshot Watery Blindness None Right Eye Left Eye

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

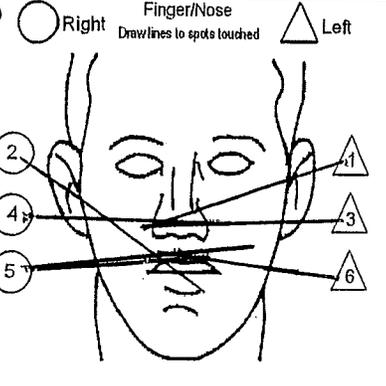
Pulse & Time	HGN	Right eye	Left eye	Vertical nystagmus?	Convergence	(3) One leg stand Timed 30 seconds
1. <u>94, 2335</u>	Lack of smooth pursuit <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Count # <u>19</u>
2. <u>88, 2349</u>	Max. deviation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
3. <u>80, 1211</u>	Angle of onset <input type="checkbox"/> Resting (0) <input checked="" type="checkbox"/> Rapid (35) <input type="checkbox"/> Extreme (45) <input type="checkbox"/> Immediate (0-30) <input type="checkbox"/> Near extreme (40) <input type="checkbox"/> None					



	L	R	
Cannot keep balance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sways while balancing
Started too soon	<input type="checkbox"/>	<input type="checkbox"/>	Used arms to balance
Stopped walking	<input type="checkbox"/>	<input type="checkbox"/>	Hopping
Missed heel-toe	<input type="checkbox"/>	<input type="checkbox"/>	Put foot down
Stepped off line	<input type="checkbox"/>	<input type="checkbox"/>	
Raised arms	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Type of footwear
Actual steps taken	<u>10</u>	<u>9</u>	<u>STREET SHOES</u>

Internal clock could not perform Describe turn SPINNING Estimated as 30 sec.

Cannot do test (explain) HELD ONTO WALL, COULD NOT BALANCE

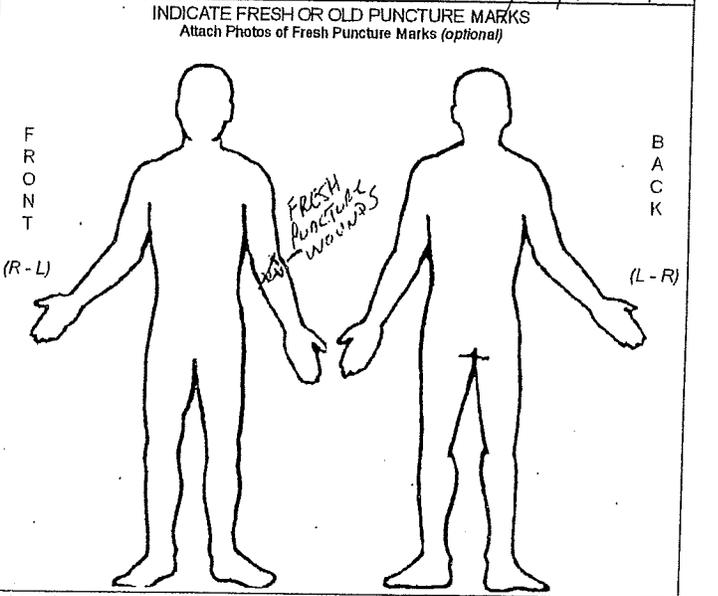


Pupil Size: MM

Light	Right Eye	Left Eye
Room Light	<u>6.5</u>	<u>6.5</u>
Near Total Darkness	<u>8.5</u>	<u>8.5</u>
Direct	<u>5</u>	<u>5</u>

Hippus Yes No
 Rebound dilation Yes No
 Reaction to light Normal Slow Little or None Visible

Nasal area RED Oral cavity/Tongue White film/dry mouth



Blood pressure 124/74 Temperature 94.2 °F

Muscle tone Near Normal Flaccid Rigid

Chemical test time: Urine Blood Both tests refused

Witness: OFFICER SAWYER

Examining Officer P. RAVELIN I.D. Number _____ IACP/DRE # PENDING

Agency VSP-Williston Reviewed by [Signature]

Opinion of Evaluator: Rule Out Alcohol Stimulant Dissociative Anesthetic Inhalant Medical Depressant Hallucinogen Narcotic Analgesic Cannabis

[Redacted Name]

T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted in the DUI processing area at the Essex Police Department.

2: **Witness:** The evaluation was witnessed by Officer Sawyer of the Essex Police Department.

3: **Breath Test:** Officer Sawyer was the arresting officer and obtained a Preliminary Breath Test result of .000% BrAC at approximately 2319 hours.

4: **Notification/Interview of A/O:** At approximately 2315 hours Officer Sawyer requested a DRE evaluation on [Redacted] after responding to a single vehicle collision where a witness observed a vehicle pull from a driveway on Vermont Rte. 2A and collide with a group of mailboxes and continue down the road. The witness followed the vehicle and called Essex Police. The vehicle turned on to Pinecrest Drive where it subsequently crashed. Officer Sawyer advised after [Redacted] performed poorly on Field Sobriety Exercises he provided a sample of his breath with a Preliminary Breath Test result of .000% BrAC.

5: **Initial Observations:** I first observed [Redacted] in the Essex Police Department DUI processing area. His movements were slow and uncoordinated. [Redacted] used the desk for balance. Once sitting in a chair I noted [Redacted] had a difficult time keeping his eyes open. His head would repeatedly nod forward. [Redacted] appeared to be "on the nod". When he spoke, [Redacted] voice was low and raspy and his speech was slurred. [Redacted] had dry mouth and continuously smacked his lips. I noted [Redacted] had pilo erections and pulled his arms inside his shirt in an attempt to warm himself.

6: **Medical Problems:** I noted several small cuts on his nose from the collision. No evidence of additional injury or illness was observed.

7: **Psychophysical Tests:** [Redacted] exhibited impairment throughout all portions of the psychophysical tests. On the Romberg Balance, [Redacted] exhibited a four inch circular sway. He made several attempts to complete the test however he stopped several times. He was unable to perform the test. On the Walk and Turn, [Redacted] could not balance during instructions. He took incorrect number of steps and he turned incorrectly by spinning around. [Redacted] stepped off line on step number two and missed heel to toe on steps number four, five, six, and eight. He used his arms for balance almost continuously throughout the test. On the One Leg Stand, [Redacted] swayed while balancing, used his arms for balance, and put his foot down while standing on the left foot. [Redacted] could not perform the test. While standing on the right foot, [Redacted] counted slowly taking thirty seconds to count to nineteen. He used his arms for balance and put his foot down several times. [Redacted] had to hold onto the wall to regain his balance. On the Finger to the Nose, [Redacted] used the joint of his finger to touch the tip of his nose when he was instructed to use the tip of his finger. [Redacted] missed the tip of his nose all together on numbers two, five, and six.

Subscribed and sworn to before me on

this 25 day of SEPTEMBER 2008
[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
9-25-08
(date)

Name (Last, First, Middle)

[REDACTED]

Violations

T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

8: **Clinical Indicators:** EYES: [REDACTED] pupils were of equal size and he was able to follow a stimulus. He had a lack of smooth pursuit in both the left and right eyes. I noted an onset of HGN at thirty five degrees. I noted vertical nystagmus. I observed a lack on convergence in the left eye. Reaction to light was slow and his pupils were above normal in room light and direct lighting conditions and high end of normal in near total darkness. [REDACTED] eye lids were droopy. I had to advise [REDACTED] several times to open his eyes. VITAL SIGNS: [REDACTED] pulse rate was above normal at on the first reading and normal for the other two readings (94, 88, and 80). His blood pressure was normal at 124/74. [REDACTED] body temperature was below normal at 94.2 degrees. His muscle tone was flaccid.

9: **Signs of Ingestion:** [REDACTED] nasal area was red. He had a white film on his tongue. His uvula was swollen and red. There were fresh and late puncture wounds on his left arm.

10: **Statements:** [REDACTED] mumbled repeatedly he was tired and he was going to be late for work.

11: **Opinion of Evaluator:** In my opinion, [REDACTED] was under the influence of Cannabis, Narcotic Analgesic, and a CNS Depressant and was unable to operate a motor vehicle safely.

12: **Toxicological Sample:** [REDACTED] refused to have a sample of his blood drawn.

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

Subscribed and sworn to before me on

this 25 day of September 2008

[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
9-25-08
(date)