

# Lakewood Police

Report 06/12/2008 01:11

Report # 01-08-004836

3562

5404

D

<b>I N C I D E N T</b>	Report #	Report	Occurred From	Occurred To	Report Type
	01-08-004836	06/12/2008 01:11	06/12/2008 01:11		Original
	Dept. Classification	Case Status	Date Report Completed	Cleared Scene	
	DUI OF LIQUOR/DRUGS 5404		06/16/2008	06/12/2008 02:46	
	Common Name DETROIT FRY LAKEWOOD, OH 44107 (CUYAHOGA County)				
Day of Week : Thursday Dispatched : 06/12/2008 01:11 Arrived : 06/12/2008 01:11 Map Reference : RD7 Zone : BEAT 100 Shift : Patrol Mids 1900 - 0700					
Zone : BEAT 100 Alcohol/Drug Related : Yes Additional Officers : SGT EDG Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00					

08-041836

<b>O F F E N S E  1</b>	State/ Dept. Classification DUI OF LIQUOR/DRUGS 5404		Attempted/ Committed COMMITTED	
	Statute/Ordinance 4511.19	Location Type Highway/roadway/street	Disposition Date	
	# of People Arrested : 01			
End of Offense: 1				

<b>O F F E N S E  2</b>	State/ Dept. Classification DRUG ABUSE 3509		Attempted/ Committed COMMITTED	
	Statute/Ordinance 513.03	Location Type Highway/roadway/street	Disposition Date	
	# of People Arrested : 01			
End of Offense: 2				

<b>P E R S O N  1</b>	Person Type	Business/Person Name			Business Phone
	ARA - Arrested Adult	STEPHEN M GREENE JR			
	Home Phone	Person Address 12203 CLIFTON Apt. 40 Lakewood, OH 44107 ,CUYAHOGA County			
	Other Phone	Employer Address			
	Race White	Sex MALE	SSN ██████████	DL Exp. Date	DL Number
	Birth Date	Birth City			
Age : 26 Occupation : PAINTER Adult/Juvenile : ADULT			Booking Number : lk-08-04834 Employer : UNKNOWN		
End of Person: 1					

<b>P E R S O N  2</b>	Person Type	Business/Person Name			Business Phone
	OIV - Others Involved	ALLISON J SHUTT			
	Home Phone	Person Address 12203 LAKE Lakewood, OH 44107 ,CUYAHOGA County			
	Other Phone	Employer Address			
	Race White	Sex FEMALE	SSN ██████████	DL Exp. Date	DL Number
	Birth Date	Birth City			

Reporting Officer PTL KRISTIN N ZIBBEL (1101)	Department LAKEWOOD POLICE DEPARTMENT	Report Status: Signed
Supervising Officer		Date/Time
Supervising Officer SGT EDWARD DANIEL GANNON (1046)	Department LAKEWOOD POLICE DEPARTMENT	Date / Time

01-08-004836

# Lakewood Police

Report 06/12/2008 01:11

Report # 01-08-004836

	Age : 21	Adult/Juvenile : ADULT
End of Person: 2		

<b>P E R S O N  3</b>	Person Type	Business/Person Name			Business Phone
	VIC - Victim	City Of Lakewood			
	Home Phone	Person Address			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth City			
End of Person: 3					

<b>V E H I C L E  1</b>	Plate #	Plate Expirati	Year	Make	Model	Vehicle Style
	DZD9319	05/21/2009	2000	HONDA	CIVIC	Hatchback
	Empty Field	Plate State	Vehicle Type		VIN	Category
		OH	Automobiles		JHMZE1373YT004480	OTHER
Top Color : SILVER				Keys in Vehicle : Yes		
Vehicle Disposition : TOWED:KUFNER S TOWING				Association : Owner is ALLISON SHUTT		
End of Vehicle: 1						

<b>P R O P E R T Y  1</b>	Category	Property Type	Make	Model
	EVIDENCE	MARIJUANA		
	Serial #	Color	Description	
Quantity/Weight : 7G				
End of Property: 1				

<b>P R O P E R T Y  2</b>	Category	Property Type	Make	Model
	CONFISCATED	Drivers license	OHIO	
	Serial #	Color	Description	
OLN#RV201280				
Value : \$6.25				
End of Property: 2				

Reporting Officer	Department	Report Status:
PTL KRISTIN N ZIBBEL (1101)	LAKWOOD POLICE DEPARTMENT	Signed
Supervising Officer		Date/Time
Supervising Officer	Department	Date / Time
SGT EDWARD DANIEL GANNON (1048)	LAKWOOD POLICE DEPARTMENT	

01-08-004836

# Lakewood Police

Report 06/12/2008 01:11

Report # 01-08-004836

NARRATIVE

1

Topic Original Report

M.O.: By having in his possession, 7g of marijuana in a clear plastic baggy.

On 6/12/08, at 0111 Hrs, I observed the listed Honda Peel its tires turning eastbound onto Clifton from Beach. The vehicle turned southbound onto Fry, traveling at a high rate of speed. A traffic stop was initiated on Detroit at Fry.

The driver was identified as SUB/STEPHEN GREENE. I could immediately smell the odor of an alcoholic beverage coming from the vehicle. I asked GREENE for his drivers license and proof of insurance. GREENE provided his drivers license, and had to be reminded about the insurance. When I asked him again for the insurance, he handed me his ATM card.

I asked GREENE where he was coming from. He stated from the West End Tavern. GREENE's eye were glassy and bloodshot, and his speech was slurred. I asked GREENE if he was able to recite the alphabet without singing. He indicated he could. On his first attempt, GREENE recited the alphabet correctly from A to V, then stated letters H I and J. On the second attempt, he correctly recited the alphabet from A to W, then stated letters Y, X, H, I, V. GREENE sang the alphabet on both attempts.

I asked GREENE to step out of the vehicle and asked him to perform a few field sobriety tests. GREENE staggered from the drivers side door to the sidewalk. The first test performed was the Horizontal Gaze Nystagmus. GREENE was facing away from the oscillating lights of the police vehicle while the test was performed. I observed lack of smooth pursuit in both eyes, nystagmus in both eyes at maximum deviation, and nystagmus in both eyes prior to 45 degrees.

The second test performed was the One Leg Stand. After I demonstrated and explained test, GREENE indicated he understood. GREENE was instructed to count by thousands to number thirty, or until he was told to stop. GREENE swayed while balancing, and he put his foot down on number 2, 15, and 32.

The third test performed was the Walk and Turn. As I demonstrated and explained the test, GREENE started the test before being told to begin. GREENE counted his steps in thousands, and took a total of 22 steps. While walking, GREENE offset his feet not stepping heel to toe.

Based on my training, experience and totality of the circumstances, GREENE was placed under arrest for OVI. GREENE was placed in handcuffs and searched. I located a clear plastic baggy containing marijuana in his left short cargo pocket. I read GREENE his Miranda Rights and Waiver of Rights. Both were witnessed by Sgt. Gannon. GREENE indicated he understood both, but did not wish to answer questions at this time without an attorney present. I transported GREENE to the station where he was booked by Officer Dennis McCarthy.

Prior to reading GREENE the ALS, he indicated he wished to speak to his attorney. GREENE attempted to contact his lawyer, but left a message. I read GREENE the ALS and explained the consequence of a positive test and a refusal. GREENE indicated he understood and stated he would take the test. The test was administered by Officer W. McCarthy at 0221 Hrs.

GREENE attempted to take the test, but gave an insufficient sample. Officer W. McCarthy observed GREENE short puffing into the machine. GREENE was advised several times about the time limit for

Reporting Officer PTL KRISTIN N ZIBBEL (1101)	Department LAKEWOOD POLICE DEPARTMENT	Report Status: Signed
Supervising Officer		Date/Time
Supervising Officer SGT EDWARD DANIEL GANNON (1048)	Department LAKEWOOD POLICE DEPARTMENT	Date / Time

01-08-004836

# Lakewood Police

Report 06/12/2008 01:11

Report # 01-08-004836

	<p>the test, and that it would be taken as a refusal if there was not a sufficient sample. After the time expired, Officer W. McCarthy observed the machine read insufficient test, .223% BAC.</p> <p>After time expired, Officer W. McCarthy explained to GREENE his test was taken as a refusal. GREENE stated at the booking window that he tried to breath into the machine, but stated "I'm fucking drunk". The marijuana field tested positive, and was secured in the property chute. The booking window tape was tagged and secured in the property room. GREENE's driver's license was attached to the ALS to be sent back to the BMV.</p> <p>There was no in car video available.</p>
	End of Narrative: 1

<b>Reporting Officer</b> PTL KRISTIN N ZIBBEL (1101)	<b>Department</b> LAKEWOOD POLICE DEPARTMENT	<b>Report Status:</b> Signed
<b>Supervising Officer</b>		<b>Date/Time</b>
<b>Supervising Officer</b> SGT EDWARD DANIEL GANNON (1048)	<b>Department</b> LAKEWOOD POLICE DEPARTMENT	<b>Date / Time</b>