



Monmouth Beach Police Department

14 Willow Road MONMOUTH BEACH , NJ 07750 (732)229-1313

Officer Report for Incident 24MB01241

Nature: DWI

Location: P33

Address: OCEAN / PARK

MONMOUTH BEACH NJ 07750

Offense Codes:

Received By: Stiles, J

How Received: O

Agency: P33

Responding Officers: Golembieski, M, Farmer, P

Responsible Officer: Golembieski, M

Disposition: CAA 03/14/24

When Reported: 23:05:33 03/13/24

Occurred Between: 23:05:33 03/13/24 and 23:05:33 03/13/24

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed:

Circumstances

NIGHT Night (6 p.m. - 6 a.m.)

TRAFFIC Enforcement

BWC Body Worn Camera

LT13 Highway, Road, Alley

TRFRD Traffic Enforcement, Radar

VIMP Vehicle Impound

TOW Vehicled Towed

INV Investigation

APPH Apprehended

SUA Suspected, Alcohol Use

Responding Officers:

Unit :

Golembieski, M

P33027

Farmer, P

P33021

Responsible Officer: Golembieski, M

Agency: P33

Received By: Stiles, J

Last Radio Log: 02:00:27 03/14/24 C

How Received: O Ofcr. Initiated
When Reported: 23:05:33 03/13/24
Judicial Status:
Misc Entry:

Clearance: RR Report Required
Disposition: CAA **Date:** 03/14/24
Occurred between: 23:05:33 03/13/24
and: 23:05:33 03/13/24

Statute:	Description :	Method :
39 Violation	Title 39 Violations	39:4-50
39 Violation	Title 39 Violations	39:4-96
39 Violation	Title 39 Violations	39:4-97
39 Violation	Title 39 Violations	39:4-88B
39 Violation	Title 39 Violations	39:4-97.1
39 Violation	Title 39 Violations	39:4-50.2

Involvements

Date	Type	Description	
03/14/24	Law Incident	CALL BY PHONE 24MB01244	x-ref
03/14/24	Law Incident	WALK-IN 24MB01246	x-ref
03/14/24	Law Incident	WALK-IN 24MB01252	x-ref
03/14/24	Name	BELLARAN, ASHLEY D	Driver
03/14/24	Name	GYORINDAH, PAIGE	Passenger
03/13/24	Citation	Moving Violation	Citation
03/13/24	Citation	Moving Violation	Citation
03/13/24	Citation	Moving Violation	Citation
03/13/24	Citation	Moving Violation	Citation
03/13/24	Citation	Moving Violation	Citation
03/13/24	Offense	Under Influence Drugs; Alcohol - 1 count	Charged With
03/14/24	Vehicle	WHI 2015 AUDI A3 NJ	Vehicle
03/13/24	Cad Call	23:05:33 03/13/24 DWI	Initiating Call
03/14/24	Property	BRO WALLET COACH NEW YORK 0	Property History
03/14/24	Property	ONG MISCELLANEOUS VUETEC VAPE WAVE VUE 0	Property History
03/14/24		[No description]	Impounded

Narrative

Ptl. Golembieski #27 - Assigned BWC

Ptl. Farmer #21 - Assigned BWC

On the above date and time I, Patrolman Golembieski #27, was assigned to uniformed patrol operating marked patrol unit #22. I was equipped with a body worn camera (BWC#27) that was attached to my outer carrier. My body worn camera was activated for the duration of this incident.

PHASE ONE - VEHICLE IN MOTION:

I was patrolling Ocean Avenue in Monmouth Beach heading north. As I was passing the intersection of Ocean Avenue and Park Road, I saw a vehicle in the distance noticeably swerving and driving slowly heading south towards me. This vehicle was the lead car in a line of traffic which was approximately 10 cars in length.

As the vehicle got closer, I observed the vehicle to be traveling below the speed limit at a speed of 34mph according to my Stalker Dual SL radar unit. The posted speed limit is 40mph on Ocean Avenue during this time of year.

As the vehicle got closer, I saw the vehicle's left tires cross over the yellow center line of Ocean Avenue. After this, the vehicle drifted back into its lane fully and away from the center line. The vehicle continued to drift across its travel lane and its passenger side tires crossed over the white shoulder line. The vehicle continued to swerve in this manner and within its lane of travel as it was approaching me.

Seeing the above motor vehicle violations, my intention was to perform a motor vehicle stop on this vehicle. I conducted a U-turn when it was safe to and parked on the side of Ocean Avenue waiting for the vehicle to pass me. When the vehicle passed me, I identified it as a white Audi bearing NJ 42GWLE. After the vehicle past my location, multiple other cars past me along with it. I pulled out behind these vehicles while maintaining sight of the violator. I continued to see the violator vehicle swerving while in this line of traffic.

Once I was able to get safely behind the violator vehicle, I activated my patrol vehicle's emergency lights and radioed to the Monmouth County Radio Room (MCRR) notifying them of the stop and my location.

PHASE TWO - PERSONAL CONTACT:

After I stopped behind the violator vehicle, I exited my patrol car and walked up to the vehicle's passenger side. The vehicle was a convertible which was down at the time of the stop. I made contact with the occupants of the vehicle. I introduced myself as a Monmouth Beach Police Officer and requested the driver's license, registration, and insurance card. As I did this, I immediately smelled the odor of an alcoholic beverage coming from within the vehicle. I looked at the driver's eyes and I could see that they were both bloodshot and watery with droopy eyelids. I could see the driver's pupil sizes looked dilated.

The driver handed me just her license despite the fact I asked for all three documents. I identified the driver as Ashley D. Bellaran at this time. There was a passenger as well who would be later identified as Paige Gyorindah. During conversation with the driver, I noticed she was talking slower. I had to ask the driver another time for her registration and insurance card. When the driver went to retrieve these documents, the driver's hand movements were slow and she fumbled the registration card when looking at it. The driver provided me with both the registration card and insurance card for the vehicle. I saw they were both valid.

After seeing all the documents were valid, I returned to my patrol vehicle to check the driver's license. While walking back to my patrol vehicle, I requested Ptl. Farmer #21 respond to my location for backup as I anticipated asking the driver to step out of the car to perform standardized field sobriety tests (SFSTs). I had the MCRR check the driver for wants and warrants. The driver was negative for any. I deactivated my patrol vehicle's forward facing emergency lights with the anticipation of the driver performing SFSTs.

Once Ptl. Farmer arrived on scene, I exited my patrol vehicle and walked up to the driver's side of the vehicle. I made contact with the driver. I again immediately smelled the odor of an alcoholic beverage coming from within the vehicle. I explained to the driver that I smelled this odor coming from the car and asked if she had anything to drink tonight. The driver said she did not, but her friend did and that's why she was driving. They said they were coming from Tommy's Tavern in Sea Bright. I told her I wanted to ensure she was okay to drive and wanted her to perform SFSTs. The driver agreed to perform SFSTs and stepped out of the vehicle.

PHASE THREE - PRE-ARREST SCREENING:

I had the driver walk over to a part of the sidewalk that was level, flat, non-slippery, and relatively free of debris. I asked the driver again if she had any drinks tonight. She again said no. I began my assessment of the driver by doing the SFSTs. While the driver was standing on the sidewalk in front of me, I could smell the odor of an alcoholic beverage coming from her person.

HORIZONTAL GAZE NYSTAGMUS TEST (HGN):

I started off by doing the HGN test. I asked the driver if she had any issues with her eyes. The driver said she wears glasses but was not wearing them right now. I asked if she had contacts in and she said no. The driver did not mention any other issues with her eyes.

I explained and demonstrated the starting position for the HGN test to the driver. I advised the driver to remain in this position until I told her otherwise. She said she understood this. The stimulus used for the HGN test was one of my pens. I held my pen approximately 12-15 inches from the driver's face and slightly above eye level. I asked the driver if she could see the tip of the pen okay. The driver said she could. I pointed to the tip of the pen and confirmed the driver could see it. She said she could. I told the driver to follow the tip of the pen with her eyes and her eyes only and to not move her head. The driver said she understood this.

I began the HGN test with the medical assessment. I did not see any resting nystagmus in this driver. I observed both pupil sizes to be the same. I observed the eyes to be able to track the stimulus equally. After the medical assessment of the HGN test, I moved on to the scoring portion of the test.

During the scoring portion of the HGN test, I observed the driver to have lack of smooth pursuit in both the left and right eyes. I observed the driver to have distinct and sustained nystagmus at maximum deviation in both the left and right eyes. I observed the driver to have an onset of nystagmus prior to 45 degrees in both the left and right eyes. I observed the driver to have vertical gaze nystagmus.

Throughout the HGN test, I observed the driver to be swaying from left to right and forward to back at times. The driver moved her head to follow the stimulus once. I reminded her to not move her head and she did not move it again. I continued to smell the odor of an alcoholic beverage coming from the driver during the HGN test. I observed a total of 6/6 clues of impairment during the HGN test.

WALK AND TURN TEST (W&T):

After the HGN test was completed, I moved on to the W&T test. I began by asking the driver if she agreed that the ground was flat, free of debris, and non-slippery. The driver said sure. I explained and demonstrated the starting position for the W&T test to the driver. I instructed the driver to put her left foot on the line. The driver stepped her right foot forward. I told her to put her left foot forward again. She corrected this and said "I'm a school counselor, I don't do math". The driver got into the starting position for the test. I told the driver to remain in the starting position until I told her to do otherwise. She said she understood.

I moved on to start explaining and demonstrating the walking portion of the test to the driver. The driver mentioned that she was cold and shaking. After saying this, I noticed the driver fell out of the starting position. Specifically, the driver moved her feet next to one another and no longer touching heel to toe as instructed. I stopped and asked her to get back into the starting position. She did. After doing this, the passenger yelled something I could not hear to the driver. The driver responded but stepped out of the starting position again by doing the same action of putting her feet next to one another. I asked her to get back into the starting position again. The driver complied.

I began to explain and demonstrate the walking portion of the test again for the driver. While doing this, the driver began the test by walking three steps down the line. I told her multiple times I did not tell her to start. She stopped walking and the driver began talking to me about the stop. Once this conversation was over, I began explaining and demonstrating the W&T test again for the driver. After I completed the turn portion of the instructions, the driver began the test by walking down the line without me telling her to begin. I told her multiple times that I did not tell her to start. I had her stop and stand to watch the remainder of the instructions.

I restarted the demonstration and explanation of the walking portion of the test for the driver. After I completed this, I asked the driver if she understood. She said she did. I had her get back into the starting position prior to beginning the test. Once the driver got into the starting position, I had her begin the test.

During the driver's first set of steps down the line, the driver missed stepping in a heel to toe fashion once and the driver took a total of 10 steps before turning. After the driver completed her turn, she began walking down the line for her second set of steps. On her second set of steps, the driver stepped off the line two times. During the W&T test, I observed a total of 5/8 clues of impairment.

ONE LEG STAND (OLS) TEST:

Once the W&T test was completed, I moved on to the OLS test. I began by asking the driver if she had any injuries that would prevent her from doing a balance test. The driver said she had a knee injury in her left knee. The driver also said she had a thigh injury on her right side. I asked the driver if she was able to stand on one foot and she said yes. The driver then lifted her left foot up without being asked to and held it at knee height.

I began to explain and demonstrate the starting position for the OLS test to the driver. The driver got into the starting position. I moved on to explaining and demonstrating the balancing part of the test. While standing in the starting position, I noticed the driver to be swaying. After I completed the demonstration and explanation of the OLS test, I asked the driver if she understood the test. She said she did.

I had the driver begin the OLS test. For the OLS test, the driver chose to lift her left foot. I observed the driver to be swaying during the OLS test. I observed the driver put her foot down a total of three times during the OLS test. The driver counted to 14 one thousand in a 30 second time period. I timed the 30 seconds with my digital watch. During the OLS test, I observed a total of 2/4 clues of impairment.

LACK OF CONVERGENCE (LOC) TEST:

After the OLS test, I conducted the LOC test on the driver. I began explaining and demonstrating the starting position for this test. After doing so, I had the driver get into the starting position for this test. The driver complied. I asked the driver if she had any eye issues. The driver said she does wear glasses. The driver did not have any contacts in.

I began to explain the test to the driver. The stimulus that I used for this test was my pen again. I advised her to follow the pen with her eyes and her eyes only. The driver said she understood this. The LOC test was done twice on the driver. Throughout the LOC test, the driver was swaying. While I was doing the LOC test on the driver, I could smell the odor of an alcoholic beverage coming from her person.

During the first LOC test, I observed both of the driver's eyes to not converge on the stimulus when the stimulus came in to the bridge of the nose. Specifically, the driver's right eye started to converge but then stopped and was looking straight between the pen and my head and not at the stimulus. The driver's left eye remained looking at me and to the left of the stimulus when the stimulus came in to the bridge of the nose.

During the second LOC test, I observed both of the driver's eyes to not converge on the stimulus when the stimulus came in to the bridge of the nose. Specifically, the driver's right eye barely began to converge but then stopped and was looking almost straight at me and not at the stimulus. The driver's left eye remained looking at me and to the left of the stimulus when the stimulus came in to the bridge of the nose.

ARREST:

After seeing the driver's poor performance on the SFSTs, I determined that the driver was exhibiting signs consistent with being under the influence of intoxicating liquor and/or drugs and I believed her to be unable to operate a motor vehicle safely at the time of this stop.

I advised that driver that I would be placing her under arrest for DWI. I had the driver turn around and I placed handcuffs on her. I double-locked the handcuffs after checking for proper spacing. The driver did not respond to me when I asked if she was being hurt from the handcuffs. I conducted a search incident to arrest of driver with negative results. The search was very brief and only included the driver's small bag she had.

I attempted to bring the driver to the rear of my patrol vehicle but she stiffened up and would not move as I was trying to guide her that way. I advised the driver to stop physically resisting me and to go to the back of my patrol vehicle. She cooperated. After she sat into the rear of my patrol car, I seat-belted her into the seat. It should be noted that while I was seat-belted the driver in, I could still smell the odor of an alcoholic beverage coming from her person.

I asked the driver what she needed from her car. She said her cellphone, vape, and a jacket. I retrieved these items for her. However, the driver told me that she wanted Gyorindah to hold on to her cellphone and vape. Ptl. Farmer provided me with the keys from the driver's vehicle. I placed the jacket the driver requested and her keys in the front of my patrol car to be taken with us to the Monmouth Beach Police Department. The phone and vape pen were left with Gyorindah as per the driver's request.

I transported the driver from the stop location to the MBPD. Both starting and ending mileages were logged with the MCRR. Once at the MBPD, I had the driver sit down on the processing bench. I activated both the station house audio and video recording in MBPD. I deactivated my body worn camera after this was done as per policy.

I removed all portable electronics from the room including cellphones, radios, keys, and body worn cameras. I had the MCRR timestamp the beginning of the 20 minute observation period. Immediately after beginning the 20 minute observation period, the driver put an Advil into her mouth and swallowed it. I did not realize she still had a small Advil bottle on her in her small fanny pack type bag. I removed this Advil bottle and checked for any other types of consumables in the bag, I found none. I restarted the 20 minute observation period.

I read the N.J. Attorney General's Standard Statement For Motor Vehicle Operators (N.J.S.A. 39:4-50.2(e)) form to the driver. After reading the form to the driver, she replied "I'd like to speak to my lawyer" to giving breath samples. I read the secondary question to her. The driver said "sure" to giving breath samples.

I completed DWI form pages 1 while I waited for the 20 minute observation to be over. During the 20 minute observation, the driver did not burp, belch, vomit, eat, swallow, or put anything else into his mouth. Once the 20 minute observation period was up, I brought the driver over to the Alcotest machine to take the breath test.

During the breath test, I believed the driver was not trying her hardest to provide a valid sample at certain times. I allowed the driver to have 12 chances at the breath test. After all 12 attempts I gave the driver, she was unable to produce two good samples. After the 12 attempts at the breath test, I processed the driver as a refusal to submit to breath testing. Please see the attached Alcotest paperwork for further details.

I read the driver her Miranda Rights before attempting to read her the questions on DWI form page 2. The driver stated "5th Amendment" after I concluded reading her rights to her. I interpreted this as her invoking her 5th Amendment rights and I processed the form as such.

I finished processing the driver. I issued the driver summonses for 39:4-50, 39:4-50.2, 39:4-96, 39:4-97, 39:4-88B, and 39:4-97.1. Ptl. Farmer read the potential liability form to Gyorindah who was waiting in the MBPD lobby. She signed the potential liability form and they got a ride home after she was released to her at 01:30.

All relevant paperwork has been attached to this report in the files section. An impound report was completed and an email with all requested owner information has been sent to Arties Towing.

The driver's wallet and vape were later found in the bathroom next to the Chief's Office. Please reference 24MB01244 and 24MB01246 for further details.

Supplement

02:00:27 03/14/2024 - Stiles, J

CAD Call info/comments

=====

23:12:27 03/13/24 - Stiles, J - From: Golembieski, M
will have 1 female out of veh for testing

23:15:50 03/13/24 - Stiles, J
Ashley Bellaran 7/1/1997 valid/neg warr
23:26:41 03/13/24 - Stiles, J - From: Farmer, P
p3327 has a female 41 contact Arties for tow

23:44:50 03/13/24 - Stiles, J - From: Golembieski, M
enroute with female 41 st mi 1740.2 . BWC on

23:47:23 03/13/24 - Stiles, J - From: Golembieski, M
end mi 1741.4

23:54:36 03/13/24 - Stiles, J
removing all radios , will be off air while processing

23:55:32 03/13/24 - Stiles, J
begin 20 min observation

00:05:34 03/14/24 - Stiles, J - From: Farmer, P
tow has veh

00:13:53 03/14/24 - Stiles, J
Nature change from STOP to DWI

00:15:51 03/14/24 - Stiles, J
end 20 min observation

01:30:04 03/14/24 - Stiles, J
41 processed/released

Supplement

05:03:07 03/14/2024 - Golembieski, M

Ptl. Golembieski #27 - Assigned BWC

Ptl. Farmer #21 - Assigned BWC

At about 04:39, Bellaran came back to MBPD to retrieve her property that was left here. Patrols were tied up at the time and could not respond right away. After the other call for service, I, Ptl. Golembieski #27, responded back to MBPD to release both items to her. Property was released and she signed both released forms. See attached.

Vehicles

Vehicle Number:**785231****License Plate:****State:** NJ**Vehicle Year:** 2015**Make:** AUDI Audi**Color:** WHI /**Vehicle Type:** PCAR Passenger Car**License Type:****Expires:** 06/30/24**VIN:****Model:** A3**Doors:** 0**Value:** \$0.00**Owner:****Last:** BELLARAN**First:** ASHLEY**Mid:** D**DOB:****Dr Lic:****Address:****Race:** W**Sex:** F**Phone:** () -**City:****Agency:****Officer:****UCR Status:****Local Status:****Status Date:** **/**/****Comments:****Date Recov/Rcvd:** **/**/****Area:****Wrecker Service:****Storage Location:****Release Date:** **/**/**

Property

Property Number: 24MBP0028**Item:** WALLET**Owner Applied Nmbr:****Brand:** COACH**Model:** NEW YORK**Year:** 0**Quantity:** 1**Meas:****Serial Nmbr:****Total Value:** \$0.00**Color:** BRO**Owner:** BELLARAN ASHLEY D 711334**Agency:** P33 Monmouth Beach Police Department**Tag Number:****Accum Amt Recov:** \$0.00**Officer:** Golembieski, M**UCR:** PHW Purses, Handbags, Wallets**UCR Status:****Local Status:** REL**Storage Location:** MBPD TEMP.
EVD.**Crime Lab Number:****Status Date:** 03/14/24**Date Released:** 03/14/24**Date Recov/Rcvd:** 03/14/24**Released By:** Golembieski, M**Amt Recovered:** \$0.00**Released To:** OWNER**Custody:** **.*.*.* ***/**/****Reason:****Comments:** Property that the owner's friend left in the MBPD bathroom when she was let inside the MBPD to use the restroom.**Property Number:** 24MBP0029**Item:** MISCELLANEOUS**Owner Applied Nmbr:****Brand:** VUETEC VAPE**Model:** WAVE VUE**Year:** 0**Quantity:** 1**Meas:****Serial Nmbr:****Total Value:** \$0.00**Color:** ONG**Owner:** BELLARAN ASHLEY D 711334**Agency:** P33 Monmouth Beach Police Department**Tag Number:****Accum Amt Recov:** \$0.00**Officer:** Golembieski, M**UCR:** OTH Other**UCR Status:****Local Status:** REL**Storage Location:** MBPD TEMP.
EVD.**Crime Lab Number:****Status Date:** 03/14/24**Date Released:** 03/14/24**Date Recov/Rcvd:** 03/14/24**Released By:** Golembieski, M**Amt Recovered:** \$0.00**Released To:** OWNER**Custody:** **.*.*.* ***/**/****Reason:****Comments:** Property left inside the MBPD bathroom that was left by the owner's friend when she was let inside MBPD to use the bathroom.

Name Involvements:**Passenger :****Last:** GYORINDAH**First:** PAIGE**Mid:****DOB:** **/**/****Dr Lic:****Address:****Race:** W **Sex:** F**Phone:** () -**City:****Driver :****Last:** BELLARAN**First:** ASHLEY**Mid:** D**DOB:****Dr Lic:****Address:****Race:** W **Sex:** F**Phone:** () -**City:**