



Colts Neck Police Department

1 Veterans Way COLTS NECK , NJ 07722 (732)780-7323

Officer Report for Incident 23CN11747

Nature: DWI

Location: P841

Address: SR 34 & PHALANX RD

COLTS NECK NJ 07722

Offense Codes: DUI

Received By: Nierenberg, G

How Received: 9

Agency: P84

Responding Officers: Forgach, C, Tomaio, N, Campan, G

Responsible Officer: Tomaio, N

Disposition: CAA 09/27/23

When Reported: 10:12:56 09/27/23

Occurred Between: 10:12:56 09/27/23 and 10:14:57 09/27/23

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 37523

Last: COLTS NECK
POLICE
DEPARTMENT

First:

Mid:

DOB: **/**/**

Dr Lic:

Address: 1 VETERANS WAY; COLTS
NECK POLICE

Race:

Sex:

Phone: (732)780-7323

City: COLTS NECK, NJ 07722

Offense Codes

Reported:

Observed:

Additional Offense: DUI DUI Alcohol or Drugs

Circumstances

LT13 Highway, Road, Alley

Responding Officers:

Unit :

Forgach, C

P84078

Tomaio, N

P84069

Campan, G

P84056

Responsible Officer: Tomaio, N

Agency: P84

Received By: Nierenberg, G

Last Radio Log: 14:23:40 09/27/23 C

How Received: 9 911 Line

Clearance: RR Report Required

When Reported: 10:12:56 09/27/23

Disposition: CAA **Date:** 09/27/23

Judicial Status:

Occurred between: 10:12:56 09/27/23

Misc Entry:

and: 10:14:57 09/27/23

Statute:	Description :	Method :
39 Violation	Title 39 Violations	39:4-50

Involvements

Date	Type	Description	
09/27/23	Name	RODRIGUEZ, JOSE S	Involved
09/27/23	Name	COLTS NECK POLICE DEPARTMENT,	Complainant
09/27/23	Name	SOTILLO, SILVANA	Witness
09/27/23	Name	RODRIGUEZ, DEVON A	Involved
09/27/23	Name	BRENNAN, JENNIFER N	Driver
09/27/23	Citation	Moving Violation	Citation
09/27/23	Citation	Moving Violation	Citation
09/27/23	Citation	Moving Violation	Citation
09/27/23	Offense	Under Influence Drugs; Alcohol - 1 count	Charged With
09/27/23	Vehicle	TAN 2008 CHEV IMP NJ	Vehicle History
09/27/23	Cad Call	10:12:56 09/27/23 DWI	Initiating Call
09/27/23		[No description]	Impounded

Narrative

On 9/27/2023 at 1012 hours I, Ptl. Tomaio #69 was assigned to the Patrol Division within the Colts Neck Township Police Department. I was operating "ghost" style marked patrol vehicle #28 dressed in class B uniform. My patrol vehicle is equipped with a mobile video recorder which is linked to my body worn camera worn on my external vest carrier. Both of these devices were activated for this incident.

Monmouth County Radio Room (MCRR) dispatched patrol to the area of State Highway 34 and Phalanx Road for a Federal Bureau of Investigations Special Agent who was on a traffic stop with a vehicle. Ptl. Forgach #78 and I arrived on scene and spoke with Special Agent Sotillo who informed me she observed the accused vehicle a 2008 tan Chevrolet Impala N failing to maintain its lane and almost causing a motor vehicle crash. Due to these observations she conducted a traffic stop and contacted our agency.

I made contact with driver of the accused vehicle, Jennifer Brennan, identified myself as a Colts Neck Township Police Officer and asked her if she needed medical attention as I observed her in a drowsy state. She was observed nodding off and rubbing her face with white dried saliva around her mouth. Her pupils were pin point and eye lids were droopy. Ms. Brennan declined emergency medical services and stated she had taken her prescribed suboxone prior to operating her vehicle which made her feel woozy. At this time I requested her exit her vehicle for the purpose of conducting standardized field sobriety testing (SFSTs).

Upon her exiting the vehicle we made our way to the space behind the vehicle. The roadway in this area was level and free of any debris. I asked Ms. Brennan if she would complete SFSTs and she advised she would. I asked Ms. Brennan if she had any medical issues or injuries to which she stated "No."

Standardized Field Sobriety Tests**Horizontal Gaze Nystagmus:**

The first test I conducted was the horizontal gaze nystagmus test. The subject was placed into the starting position and explained the instructions. She was wearing sunglasses on the top of her head which were removed. I placed the stimulus, a ball point pen approximately 12-15 inches from her nose slightly above eye level. I observed equal pupil size and equal tracking of both eyes. I observed a lack of smooth pursuit in both eyes as well as distinct and sustained nystagmus at maximum deviation in both eyes. I further observed a onset of nystagmus prior to 45 degrees in both eyes. Vertical nystagmus was not observed.

Walk and Turn:

The second test administered was the walk and turn test. The subject was once again placed into the starting position while I explained and demonstrated the instructions which she stated she understood. The subject wished to remove her boots which I observed were worn on the wrong feet prior to removal. The accused continually fell out of the starting position. She was observed unable to maintain balance and raised her arms. She failed to count aloud and completed ten steps instead of nine. Upon reaching the tenth step she could not remember the prescribed manner in which instructed to complete her turn. She failed to touch heel to toe throughout the test.

One Leg Stand:

The final test I administered was the one leg stand test. Once again the accused was placed into the starting position while I explained and demonstrated the instructions. The subject failed to maintain balance and continually dropped her foot. She raised her arms for balance during the test multiple times. Due to her continually dropping her foot to the ground and

her continual swaying I was concerned she may fall to the ground and injure herself. Due to this, stopped the test for her safety.

Due to my observations, Ms. Brennan's performance on the SFST's and Special Agent Sotillo's statement on her driving behavior I placed her under arrest for driving while intoxicated. She was placed into handcuffs properly spaced and double locked and escorted to the rear of my patrol vehicle. The rear of my patrol vehicle was checked negative for contraband prior to and after transport. Ms. Brennan advised me she has two children currently in school which she has to pick up this afternoon. I informed OIC Ptl. Campan #56 of this and he made arrangements for the child care, see his supplemental narrative for further. Ptl. Forgach remained on location until Branning Auto Body responded and impounded the vehicle as pursuant to John's Law.

I transported Ms. Brennan to CNPD HQ without incident logging mileage with MCRR. Upon arrival to CNPD HQ she was escorted inside and placed into the cell where she was secured to the holding bench. I checked Ms. Brennan's mouth free from any objects and Ptl. Forgach began a continuous twenty minute uninterrupted face to face observation beginning at 1059 hours. During this time period Ms. Brennan did not belch, spit, burp or place any object inside of her mouth. I then read Ms. Brennan the NJ Attorney General Standard Statement for Motor Vehicle Operators, she stated she would consent to submitting samples of her breath.

Upon conclusion of the twenty minute observation, I operated the Alcotest 9510 for Ms. Brennan. The first test sequential file #59 was voided due to me pressing continue on the instrument prior to Ms. Brennan being ready to submit samples of her breath. I began a new breath test sequence and Ms. Brennan provided two valid samples. The Alcotest provided a BAC reading of 0.0%.

At this time, I contacted MCRR for them to page out a Drug Recognition Expert (DRE) to evaluate Ms. Brennan. Ptl. Van Schaack #368 of Middletown Police Department responded to headquarters and conducted an evaluation. See his report for further. At the end of the DRE Evaluation Ms. Brennan provided a sample of her urine for testing. I took custody of the urine and secured it in evidence fridge locker #A. A LIMBS submission and chain of custody form was completed.

Upon culmination of the DRE Evaluation I issued Ms. Brennan the following summonses:

1304 E23 002750 Driving While Intoxicated 39:4-50
1304 E23 002751 Reckless Driving 39:4-96
1304 E23 002754 Failure to Maintain Lane 39:4-88

Ms. Brennan has a mandatory court appearance of 10/6/2023 in Colts Neck Municipal Court.

Jose Rodriguez responded to CNPD HQ where he signed the potential liability form and Ms. Brennan was released under his care.

This case is pending court...

Supplement

11:33:49 09/27/2023 - Campan, G

Arriving to police headquarters with the prisoner, Jennifer Brennan, Ptl. Tomaio advised this officer that Ms. Brennan has to get her children off the bus from school at 1230hrs and 1700hrs.

Once Ms. Brennan was in the cell and secured, I spoke to her to get pedigree information about her children and advised I was trying to make arrangements for them to be picked up from school. As I was speaking with her to get information about her children, she was nodding off multiple times and slurring her words. Once Ms. Brennan provided all the information about her two children I contacted both schools.

Principal Thea Jackson-Byers of the Bradley Elementary School in Asbury Park, NJ was contacted by this officer in reference to this incident. Principal Jackson-Byers indicated the school is doing an early dismissal this afternoon at 1230hrs. The child in question (5) usually gets sent home on the bus to his home address that the school has on file. I made contact with the father of the child, Devon Rodriguez, he indicated he is en route to his residence to get the child off the bus. Principal Jackson-Byers was contacted back by this officer and updated with this information.

Principal Alicia Pavlik of the Kiddie Academy of Neptune, located in Neptune City, NJ was also contacted by this officer in reference to this incident. Principal Pavlik verified that R (18m) was still at the facility and they close at 5:30pm this evening. Devon Rodriguez contacted this agency back advising he picked up AR safely and is in possession.

Ms. Brennan was updated with the arrangements for her children.

Supplement

14:23:40 09/27/2023 - Crotchfelt, A

CAD Call info/comments

=====

10:13:31 09/27/23 - Nierenberg, G
fbi agent following erratic driver, champagne chevy
10:13:59 09/27/23 - Nierenberg, G
northbound
10:14:30 09/27/23 - Nierenberg, G
at phalanx
10:15:09 09/27/23 - Nierenberg, G
caller in blk durago
10:15:16 09/27/23 - Nierenberg, G
trying to get the veh to pull over
10:15:20 09/27/23 - Nierenberg, G
has the veh stopped
10:15:45 09/27/23 - Nierenberg, G
stopped just north of phalanx
10:16:38 09/27/23 - Nierenberg, G
caller interacting with driver
10:18:20 09/27/23 - Nierenberg, G
started on 33/34
10:18:42 09/27/23 - Wechsler, A - From: Forgach, C
GOING OUT W THEM IFC ST MARYS

10:25:11 09/27/23 - Wechsler, A
ONE OUT FOR TESTING

10:26:53 09/27/23 - Wechsler, A
Address change from SR 34 & CR 537 to SR 34 & PHALANX RD

10:34:30 09/27/23 - Lonon, A
1 female 41
10:36:08 09/27/23 - Lonon, A
brannings nifd for johns law
10:46:43 09/27/23 - Lonon, A
Jennifer neg all
10:47:26 09/27/23 - Tomaio, N
Unit P84069 has replaced Unit P84078 as the responsible unit on call 7611
10:57:39 09/27/23 - Wechsler, A - From: Forgach, C
VEH WAS REMOVED / ENRT 10-3

11:00:57 09/27/23 - Crotchfelt, A - From: Tomaio, N
time stamp 20 min observation at n1059hrs

11:31:59 09/27/23 - Crotchfelt, A - From: Tomaio, N
req dre to hq

11:36:28 09/27/23 - Crotchfelt, A
DRE message sent

11:37:25 09/27/23 - Stefanelli, R
31368 called in connected to pd 84 desk

14:22:58 09/27/23 - Crotchfelt, A
Nature change from TRAFFIC COMPLNT to DWI

14:23:07 09/27/23 - Crotchfelt, A
41 released

Vehicles**Vehicle Number:****598645****License Plate**

State: NJ

License Type:

Expires: 06/30/24

Vehicle Year: 2008**VIN**

Make: CHEV Chevrolet

Model: IMP

Color: TAN /

Doors: 0**Vehicle Type:** PCAR Passenger Car**Value:** \$0.00**Owner:**

Last: BRENNAN

First: JENNIFER

Mid: N

DOB:

Dr Lic:

Address: _____

Race: W

Sex: F

Phone: _____

City: ASBURY PARK, NJ 07712-6359**Agency:****Date Recov/Revd:** **/**/****Officer:****Area:****UCR Status:****Wrecker Service:****Local Status:****Storage Location:****Status Date:** **/**/****Release Date:** **/**/****Comments:**

Name Involvements:**Involved :** 487574**Last:** RODRIGUEZ
DOB:**First:** DEVON
Dr Lic**Mid:** A**Address:** 1000 -

APT

Race: W **Sex:** M**Phone****City:** ASBURY PARK, NJ 07712-6373**Complainant :** 37523**Last:** COLTS NECK
POLICE
DEPARTMENT
DOB: **/**/****First:**
Dr Lic:**Mid:****Address:** 1 VETERANS WAY, COLTS
NECK POLICE**Race:****Sex:****Phone:** (732)780-7323**City:** COLTS NECK, NJ 07722**Witness :** 373880**Last:** SOTILLO
DOB: **/**/****First:** SILVANA
Dr Lic:**Mid:****Address:** -----**Race:****Sex:****Phone:** -----**City:** NEWARK, NJ 07102**Involved :** 6602**Last:** RODRIGUEZ
DOB:**First:** JOSE
Dr Lic**Mid:** S**Address:****Race:** L **Sex:** M**Phone****City:** HIGHTSTOWN, NJ 08520-3229**Driver :** 914243**Last:** BRENNAN
DOB: -----**First:** JENNIFER
Dr Lic**Mid:** N**Address:****Race:** W **Sex:** F**Phone:** (**City:** ASBURY PARK, NJ 07712-6359