



Oceanport Police Department

930 OCEANPORT WAY OCEANPORT , NJ 07757 (732)222-6300

Officer Report for Incident 25OP00172

Nature: DWI

Address: OCEANPORT AVE;

Location: P38W

OCEANPORT NJ 07703

Offense Codes: DUI

Received By: Pierson, K

How Received: O

Agency: P38

Responding Officers: Skovran Jr, F, Boyce, A, Petrucelli, D, Peacock, Ge

Responsible Officer: Skovran Jr, F

Disposition: CAA 01/06/25

When Reported: 20:32:50 01/05/25

Occurred Between: 20:32:50 01/05/25 and 20:32:50 01/05/25

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: TOFF Traffic Offense

Observed:

Additional Offense: DUI DUI Alcohol or Drugs

Circumstances

LT13 Highway, Road, Alley

Responding Officers:

Unit :

Skovran Jr, F

P38056

Boyce, A

P38708

Petrucelli, D

P38040

Peacock, Ge

P38057

Responsible Officer: Skovran Jr, F

Agency: P38

Received By: Pierson, K

Last Radio Log: 23:47:15 01/05/25 C

How Received: O Ofcr. Initiated

Clearance: NR No Report

When Reported: 20:32:50 01/05/25

Disposition: CAA **Date:** 01/06/25

Judicial Status:

Occurred between: 20:32:50 01/05/25

Misc Entry:

and: 20:32:50 01/05/25

Statute:	Description :	Method :
39 Violation	Title 39 Violations	39:4-50
39 Violation	Title 39 Violations	39:4-56
39 Violation	Title 39 Violations	39:4-97
39 Violation	Title 39 Violations	39:4-96
39 Violation	Title 39 Violations	39:4-90
39 Violation	Title 39 Violations	39:3-29
39 Violation	Title 39 Violations	39:4-50.4

Involvements

Date	Type	Description	
01/05/25	Name	CASTILLO, KONSTANTI G	Driver
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Citation	Moving Violation	Citation
01/05/25	Offense	Under Influence Drugs; Alcohol - 1 count	Charged With
01/05/25	Vehicle	GRY 2022 HOND CRV NH	Vehicle History
01/05/25		[No description]	Demographics
01/05/25	Cad Call	20:32:50 01/05/25 STOP	Initiating Call
01/05/25		[No description]	Impounded

Narrative

On the evening of January 5th, 2025 at approximately 2032 hours, I, Ptl. Skovran #56, was working uniformed patrol in marked unit #4. I was travelling westbound on E Main St., and stopped at a red signal at the intersection of E Main St. and Oceanport Ave. SLEO II Boyce #708 was positioned directly in front of me, also stopped at the red signal. There were no other vehicles ahead of SLEO II Boyce's vehicle. Once the signal turned green, I observed a single vehicle, directly opposite of us, make a left hand turn off of Main St., onto Oceanport Ave. The vehicle had been facing Eastbound, and was in the left-turn lane of Main St. When the signal turned green, the vehicle made the left-hand turn in front of, and without yielding to, SLEO II Boyce's vehicle, even though he was entering the intersection and was intending to continue straight ahead onto Main St. I knew this to be a violation of 39:4-90, failure to yield right of way at an intersection.

MOTOR VEHICLE STOP

After observing the above mentioned traffic offense, I decided that I would initiate a motor vehicle stop on the accused vehicle. I then made a right-hand turn onto Oceanport Ave, heading northbound. I closed the gap between the accused vehicle and my own vehicle, and then activated my emergency lights when I was passing the First Atlantic Federal Credit Union, located at Oceanport Ave. There is a large blacktop lot on the northside of the credit union, and this is where the accused vehicle came to rest, just off the main roadway surface of Oceanport Ave. At this time I was able to observe the registration of the vehicle, with it being registered to AJ Letizio Sales & Marketing, out of New Hampshire. I exited my vehicle and approached the accused vehicle on the passenger side and made contact with the driver, later identified as Konstantina Castillo. Immediately upon making contact with Castillo at the passenger side window, I detected a strong odor of alcoholic beverage emanating from the interior of the vehicle and from her breath. I identified myself and requested her documents, which seemed to make her become flustered.

Castillo provided me with her driver's license and other cards, such as a PBA card, FOP gold card, and a health insurance card. After handing me these documents I had to ask her again to provide me with her registration information and proof of insurance, as she did not seem to recall that I had asked for them specifically. She advised multiple times that the vehicle was a work vehicle and she was sure everything was inside. I gave her ample time to produce these documents and she was only able to provide me with several expired registration documents. During our conversation, I observed her eyes to be glassy and her speech to be slurred. While allowing her to look for her documents, I asked her where she had been coming from, and she responded with "near the Monmouth Mall", and later divulged she was at some "Japanese place", indicating a restaurant. I asked if she had anything to drink, and she stated that she had consumed only a single cocktail, approximately one hour in the past. It appeared difficult for her to focus on two tasks at once, as she would stop looking for her documents when I would question her about her night. Due to her fumbling with her documents for some time, the odor of alcoholic beverage present on her breath, slurred speech, and admittance to having consumed an alcoholic beverage in the recent past, I requested her to step out of her vehicle and informed her of my wish to conduct Standardized Field Sobriety Testing (SFST) on her. She complied with my request without issue.

STANDARDIZED FIELD SOBRIETY TESTS

Because of the location of the stop along Oceanport Ave, a busy county roadway, I decided to conduct the SFSTs in the blacktop lot that was previously mentioned. I positioned my patrol vehicle differently and activated my takedown lights, providing a well lit area for testing. Furthermore, the surface was level and free of debris that would interfere with testing. I observed Castillo to be wearing high heeled boots and I asked if she was comfortable performing the tests in them. She stated that she was and just wanted to get it over with. I also asked her if she had any medical conditions or injuries that would lead to balance

problems, to which she answered no. I had her stand with her feet together with her hands down at her sides, where I advised her of the first test, checking for Horizontal Gaze Nystagmus (HGN).

HGN

After placing Castillo in the starting position, I explained to her that I would be checking her eyes and that she would have to follow the tip of the stimulus (my pen) with her eyes only, without moving her head. She understood the instructions and I began the test. I first checked for resting nystagmus which I did not observe. I also found both pupils to be the same size. I then checked for equal tracking of the eyes which I found to be present. I detected a lack of smooth pursuit in both eyes, and detected a distinct and sustained nystagmus in both eyes at maximum deviation. I detected the onset of nystagmus prior to 45 degrees in both eyes. I did not detect Vertical Gaze Nystagmus (VGN). Multiple times during the test, Castillo looked away from the tip of the stimulus and focused her vision straight ahead, where I had to remind her of the instructions. I received six out of six clues for HGN.

WALK AND TURN

After the conclusion of the HGN test I advised Castillo of the walk and turn. I advised her to image a straight line in front of her and explained that she would be taking nine heel to toe steps down the line, turning, and taking nine heel to toe steps back. I then attempted to place her in the starting position, by asking her to place her left foot out on the line, and the placing her right foot directly in front of it, heel to toe. I also instructed her to keep her hands down at her sides. She had difficulty following instructions and was not placing her feet straight out of in front of her and they were not heel to toe. At this time she suggested taking her boots off so that the test would be easier to complete. She was allowed to take them off and perform the tests in socks. She was placed in the starting position again and told to stay in that position while I demonstrated the test. I then demonstrated the test, performing only three heel to toe steps for demonstration purposes, demonstrated the proper way of turning around, and then completed another three steps in the other direction. I explained that she had to keep her hands at her sides while taking her steps, and had to count each step out loud. It should be noted that while demonstrating the test, Castillo stepped off from the starting position several times and also put her arms up to maintain her balance. She then stated that she understood the directions and began the test. Castillo failed to take heel to toe steps, raised her arms up more than six inches for balance, did not follow a straight line, and failed to count her steps out loud. She also performed the turn incorrectly, and stopped before taking her nine return steps and asked if she should continue. After she believed the test to be done, she began walking over towards her vehicle to put her boots back on. Officers had to corral her and explain that there was still one more test to complete and that she may not want to put her boots back on yet. I received five of eight clues for the walk and turn.

ONE LEG STAND

For the one leg stand, I had Castillo stand in the starting position with her feet together and hands down at her sides while I explained and demonstrated the test. I explained to her that on my command, she will raise either leg of her choosing, keeping her foot approximately six inches off the ground and parallel to the ground with her toe pointed out. I stated that she must look down at her toe, keep her hands to her sides and must count out loud like so: 1001, 1002, 1003, and so on until I instructed her to stop. I demonstrated the test for several seconds before allowing her to begin. I utilized a stopwatch on my phone to keep track of how much time had passed. I instructed her to begin and observed her putting her foot down several times, restarting my timekeeping each time. She was not able to keep her hands to her sides and she also did not count her steps out loud. Out of several attempts, the longest she was able to hold her leg up for was six seconds. Because she had already

placed her foot down several times, I decided to terminate the test. I received two of four clues for the one leg stand.

ARREST

Due to Castillo's performance with SFSTs, and my initial observations, I placed her under arrest for driving while intoxicated. She was placed in double locked handcuffs, and patted down which yielded no contraband. Due to no female officer being immediately available, a full search incident to arrest was not performed. She was placed in the back of unit #4 and restrained with the seatbelt. I then advised dispatch of the transport to headquarters. Castillo's vehicle was searched for intoxicants but yielded no contraband. Ptl. Peacock stayed with the vehicle and awaited the arrival of the tow truck. It was later taken by Taylor's and brought to Central Towing's yard in Red Bank.

AT HEADQUARTERS

Once at HQ, Castillo was photographed and otherwise processed according to department policy. After basic pedigree information was obtained, Castillo was read her Miranda rights and advised she did not wish to answer questions regarding her activities earlier in the night. She was then read the standard statement for motor vehicle operators and when asked to provide breath samples, she stated "so you're asking me if I have to"? I advised her that this answer was not acceptable and would need a "yes" or a "no". Upon asking the second time, she agreed to providing breath samples. The 20 minute observation period began at 2129 hours and all electronics were taken out of the processing area. During the initial observation period, Castillo began coughing, restarting the observation. It was restarted nine additional times and Castillo was unable to not cough or belch during each of these periods, therefore leading to her being charged with refusal.

Ultimately, Castillo was issued summonses for the following:

- 39:4-50, driving while intoxicated
- 39:4-50.4a, refusal to submit breath samples,
- 39:4-56, delaying traffic
- 39:4-90, failure to yield right of way at intersection
- 39:4-96, reckless driving
- 39:4-97, careless driving
- 39:3-29b, failure to produce registration
- 39:3-29c, failure to produce vehicle insurance information

She provided officers several phone numbers of people to come pick her up and ultimately it was decided that officers would transport her to a friend's house in Red Bank, where he signed the potential liability form, releasing Castillo from our custody. All necessary documentation was saved into an incident folder on the police server and also placed into a case folder for records.

Supplement

23:47:15 01/05/2025 - Clarke, K

CAD Call info/comments

=====

20:44:38 01/05/25 - Pierson, K
10-4

20:49:09 01/05/25 - Pierson, K - From: Petrucelli, D
ONE OUT FOR TESTING

20:58:29 01/05/25 - Pierson, K - From: Petrucelli, D
56 HAS A 10-41

20:59:24 01/05/25 - Pierson, K - From: Petrucelli, D
17 FOR JOHNS LAW

21:00:52 01/05/25 - Pierson, K
CENTRAL TOW NTF

21:02:26 01/05/25 - Pierson, K - From: Skovran Jr, F
TRANS ONE 41 TO HQ S/M 17013.2 BODY CAM ON

21:05:37 01/05/25 - Pierson, K - From: Petrucelli, D
ENRT HQ WITH 56 / 57 STANDING BY FOR THE TOW

21:09:23 01/05/25 - Pierson, K - From: Skovran Jr, F
E/M 17014.8

21:29:15 01/05/25 - Pierson, K - From: Petrucelli, D
20 MIN OBS

21:31:45 01/05/25 - Pierson, K - From: Peacock, Ge
TOW 10-9

21:37:59 01/05/25 - Pierson, K - From: Peacock, Ge
TOW HAS VEH

22:00:12 01/05/25 - Crotchfelt, A - From: Petrucelli, D
RESTART 20 MIN OBSERVATION

22:05:28 01/05/25 - Petrucelli, D
RESTART 20 MIN OBSERVATION

22:06:28 01/05/25 - Petrucelli, D
RESTART AGAIN

22:07:13 01/05/25 - Petrucelli, D
RESTART

22:09:30 01/05/25 - Petrucelli, D
RESTART

22:12:04 01/05/25 - Petrucelli, D
RESTART

22:16:23 01/05/25 - Petrucelli, D
RESTART

22:26:10 01/05/25 - Petrucelli, D
RESTART AFTER BURP

22:33:42 01/05/25 - Petrucelli, D
RESTART

22:37:56 01/05/25 - Petrucelli, D
SUBJECT WAS ADVISED THE 22:09:30 WILL BE THE LAST RESTART

22:51:52 01/05/25 - Petrucelli, D
LATER ENTRY SUBJECT BURPPED
23:35:45 01/05/25 - Clarke, K - From: Skovran Jr, F
transport 41 275 spring street.. sm 17015 body cam on

23:41:53 01/05/25 - Clarke, K - From: Skovran Jr, F
ending mm 17017.5

23:47:06 01/05/25 - Clarke, K - From: Skovran Jr, F
41 has been released

Supplement

01:04:23 01/06/2025 - Petrucelli, D

On the above date and time, Ptl. Skovran requested I, Sgt. Daniel Petrucelli, responded to his motor vehicle stop. I arrived and was informed that he would be removing the female driver to conduct Field Sobriety tests. I stood by while Skovran conducted his investigation.

The female, later identified as Konstantine Castillo, was placed under arrest for Driving under the influence.

I responded to police headquarters to run the Alcotest machine.

Castillo was brought into the processing room where she was handcuffed to the bench. Skovran read Castillo the NJ Standard Statement Form and she stated she would provide breath samples.

I notified county communication of the start of my 20 minute observation. I asked Castillo if she had anything in his mouth or any removable teeth which she stated no. I checked her mouth for foreign objects and a small amount of blood. Castillo reported it was from a sore in her mouth. I located no foreign objects.

I complete the first observation period and began to place the information into the Alcotest. All electronic devices were removed from the room. As the machine was ready to except the first breath sample Castillo began to cough for approximately 30 seconds. Castillo stopped for a short time and then continued to cough for a prolonged period of time. I terminated the test until the new 20 minute observation could be completed.

I advised her that I would need to restart the observation period due to the cough. I explained to her that she could not cough belch or place anything into her mouth for 20 minutes. She stated multiple times that she understood. I restarted the 20 observation at 22:00:12. Between 22:00:12 and 22:33:42 the 20 minutes observation was restarted 9 separate times. Castillo continued to cough every few minutes. She then burped twice. She had been warned multiple times to not do so. She was advised each time the observation was restarted. The last time I restarted the observation, I informed her this would be the last chance to follow the instructions. I later observed her bring her hand to her mouth in an attempted to hide her burp. I informed her she would be charges with refusal after failing to follow officers instructions.

I operated the Alcotest machine and entered all of the information. When the machine was ready, I chose the refuse button as Castillo was now being charged with refusal. A copy of both of the Alcotest forms were saved in the case folder.

See Skovran's report for further information

Vehicles

Vehicle Number:

857361

License Plate:

State: NH

Vehicle Year: 2022

License Type: PC Regular Passenger Automobile

Expires: 03/31/25

VIN:

Make: HOND Honda

Color: GRY /

Vehicle Type: 01 Car/Station
Wagon/Minivan

Model: CRV

Doors: 0

Value: \$0.00

Owner:

Last: AJ LETIZIO
SALES &
MARKETING
INC

First:

Mid:

DOB: **/**/**

Race: U **Sex:** U

Dr Lic:

Phone: () -

Address:

City: WINDHAM, NH 03087

Agency:

Officer:

UCR Status:

Local Status:

Status Date: **/**/**

Comments:

Date Recov/Rcvd: **/**/**

Area:

Wrecker Service:

Storage Location:

Release Date: **/**/**

Name Involvements:

Driver : 1061220

Last: CASTILLO

First: KONSTANTI

Mid: G

DOB: /74

Dr Lic:

Address:

Race: W

Sex: F

Phone: () -

City: RED BANK, NJ 07701-2431