



FEB 15 REC'D 3009

ARIZONA DEPARTMENT OF PUBLIC SAFETY

ARIZONA TRAFFIC TICKET AND COMPLAINT

REPORT NUMBER 2002-006259

COMPLAINT 2540933 SOCIAL SECURITY NUMBER (If Same as DL #) MILITARY ACCIDENT FATALITY COMMERCIAL HAZ MATERIAL

DRIVER'S LICENSE NUMBER STATE/COUNTRY Az CLASS 0 ENDORSEMENTS M H N P T X D

DEFENDANT NAME FIRST MIDDLE LAST PHONE EDWARD BEASLEY

RESIDENTIAL ADDRESS

SEX WEIGHT HEIGHT EYES HAIR ORIGIN DATE OF BIRTH RESTRICTIONS M 190 6-1 BRO BLK B

BUSINESS ADDRESS STATE/COUNTRY ZIP CODE

VEHICLE COLOR YEAR MAKE STYLE LICENSE PLATE STATE/COUNTRY EXPIR. DATE BLK 00 CAD SUV AZ S/B

REGISTERED OWNER (If Same as Defendant) ADDRESS VEHICLE IDENTIFICATION NUMBER

THE UNDERSIGNED CERTIFIES THAT:

ON DATE (MO/DAY/YR) TIME OF DAY SPEED APPROX POSTED R&P SPEED MEASUREMENT DEVICE DIRECTION OF TRAVEL 01-26-2002 1825

AT LOCATION SR 101 FRONTAGE (NORTH OF RAIN TREE) PRECINCT COUNTY STATE OF ARIZONA SCOTTSDALE MARICOPA

THE DEFENDANT COMMITTED THE FOLLOWING:

SECTION 2B-1301 A1 ARS VIOLATION CC DUI (ACTUAL PHYSICAL CONTROL) DOMESTIC VIOLENCE CASE

SECTION 2B-1301 A2 ARS VIOLATION CC DUI w/ AC OVER .08 DOMESTIC VIOLENCE CASE

SECTION 2B-1302 A ARS VIOLATION CC EXTREME DUI DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

SECTION ARS VIOLATION CC DOMESTIC VIOLENCE CASE

JUDGE SCOTTSDALE J.P COURT NUMBER 0711

ADDRESS 8230 E BUTHERYS DR COURT PHONE 480-443-6600

CITY SCOTTSDALE ARIZONA ZIP CODE 85260

AT THE DATE AND TIME INDICATED DATE MONTH 02 DAY 20 YEAR 2002 TIME OF DAY 8:30 AM

CRIMINAL Without admitting guilt, I promise to appear as directed herein CIVIL Without admitting responsibility, I acknowledge receipt of this complaint

COMPLAINANT S. CARNEY ID NO 5083 DISTRICT 7 AREA 10

SUBPOENA LIST NAME ADDRESS PHONE

ADDITIONAL SUBPOENA LIST ON BACK ATTACHED COMPLAINT COPY



**ARIZONA DEPARTMENT OF PUBLIC SAFETY
CONTINUATION/SUPPLEMENTAL REPORT**

DR NUMBER: 2002-006259

Enter (C)ont/(S)upp.	Officer Name	ID No.	Location Code
C	S. Carney	5283	22070100
Supervisor Name	Date	Pending (Y)es/(N)o	Closed by (A)rrest (O)ther
Sgt. T. Lewis #3761	01-26-2002	N	A

EVIDENCE LIST:

- 1) Arizona DPS DUI worksheet
- 2) Admin Per Se related forms
- 3) Intox 5000 checklist, Exhibit WWW
- 4) Intox 5000 printout
- 5) Arizona DPS Duplicate Test Advisory
- 6) In-Car camera Video/Audio tape

NARRATIVE:

INITIAL CONTACT

On 01-26-2002, at approx 1820 hours, I was s/b on the SR 101 frontage road from Frank Lloyd Wright, when I observed a black Cadillac SUV, stopped in the dirt median of the gore point that separates the frontage road from the on-ramp (violating ARS 28-644 A2, ARS 28-731 and ARS 28-732), prior to Raintree As a result of the driver's actions, traffic for the frontage road was backing up behind the vehicle, with its rear end blocking the #1 lane As I came upon the vehicle, I stopped in the gore point, activated my emergency lights and contacted the driver

DRIVER CONTACT

Upon contacting the driver, he had a blank look on his face and when I asked him why he stopped in the median, he replied with slurred speech I then requested the driver to retrieve his license and exit the vehicle, which was still running After the driver put the vehicle in park, he exited the vehicle, staggering backwards and to his left, into the side of his vehicle, leaning on side of his vehicle as he looked through his wallet As the driver fumbled through his wallet, he dropped various pieces of paperwork and business cards The driver presented his photo-bearing AZ driver license, identifying himself as Edward Beasley, DOB

When I asked Mr Beasley where he was coming from, he replied the Bird's Nest When I asked him why he was trying to cross the median, he explained he was merely trying to get onto the SR 101 (although there was an on-ramp at Raintree ahead) In conversation with Mr Beasley, I observed his eyes to be very bloodshot and watery, he stood with a heavy circular sway in excess of 4", his speech was slurred and he emitted a strong odor of an intoxicating beverage from his breath and person When I asked Mr Beasley how much alcohol he had consumed that day, he admitted to consuming a "couple of beers" Mr Beasley consented to submit to SFST's, advising he did not have any physical impairments



**ARIZONA DEPARTMENT OF PUBLIC SAFETY
CONTINUATION/SUPPLEMENTAL REPORT**

DR NUMBER:	2002-006259
-------------------	--------------------

HGN

During HGN, I observed Mr Beasley to have all six clues of HGN, including vertical nystagmus and an obvious 3"-4" circular sway This test was done facing away from traffic

WALK AND TURN

As I placed Mr Beasley in the instruction position, he dropped his wallet During this test, Mr Beasley stopped three times and missed his heel to his toe on the fifth step out After stopping on the ninth step out and asking for additional instructions, Mr Beasley turned opposite as instructed and demonstrated Mr Beasley then stumbled and staggered throughout the remainder of the test, counting out eight steps when he stopped, displaying six out of eight clues of impairment

ONE LEG STAND

During this test, Mr Beasley swayed heavily with his arms raised out, and after putting his foot down for the second time at the count of "10-10,000", he stopped the test, as if he was done Mr Beasley appeared to be agitated, but asked if he should try the other foot To avoid agitating Mr Beasley any further, and due to the location, I discontinued any further testing

ARREST

After completing the attached SFST's and observing obvious impairment, I then placed Mr Beasley under arrest for DUI and informed him of his Miranda Warnings (1834 hrs) Mr Beasley did not request an attorney

VEHICLE DISPOSITION

The three passengers in the vehicle were identified as Sherwin Stoorman, DOB _____, Muriel Stoorman, DOB _____ and Jenny Beasley, DOB _____ After explaining to Mr Beasley's wife that her husband was under arrest, she requested to speak with him and to call an attorney on his behalf I explained to Mrs Beasley that she could not speak with Mr Beasley until he was released, that he himself had not requested an attorney In addition, if she contacted an attorney on his behalf, to let me know, at which time I would speak with the attorney

The vehicle and passengers was released to Officer Martin #5601 to wait for Cactus Towing, while I transported Mr Beasley to the near by Sam's club parking lot, where I met with the DPS DUI van

ADMIN PER SE

Upon arrival at the parking lot, Mr Beasley asked me what was going to happen next After explaining the breath test to him, Mr Beasley asked for advice I again explained to Mr Beasley that he had the right to consult with an attorney, at which time he waived his right, saying "I don't want to call an attorney "

I conducted a deprivation period in the van and read Mr Beasley a standard MVD Admin Per Se form When I asked Mr Beasley if he would submit to the specified tests, he said he was unsure I offered Mr Beasley another chance to contact an attorney for legal advice, however he again refused After explaining the consequences several times to Mr Beasley for both refusing to submit to the tests and what would happen if he did submit, Mr Beasley consented to submit to the specified tests At no point in time during my contact with Mr Beasley did he request to speak with an attorney In addition, he refused to speak with one each time I offered him the opportunity



ARIZONA DEPARTMENT OF PUBLIC SAFETY
CONTINUATION/SUPPLEMENTAL REPORT

DR NUMBER:	2002-006259
-------------------	--------------------

BREATH TEST

A breath test revealed Mr Beasley's BrAC to be 159 and 155

SUBJECT'S STATEMENTS

While interviewing Mr Beasley, he explained that he was suffering from Valley Fever, and because of his medication and condition, he did not understand why he was not afforded a defense in regards to his alcohol concentration and DUI arrest

Mr Beasley kept arguing it was his condition and another driver's fault for his arrest, and that he was "not guilty" At one point in time, as he continued to try to seek advise from me, I suggested to Mr Beasley that he should have been more responsible and not driven that day instead of assigning blame to someone else Mr Beasley's response was, "you're absolutely right"

After informing Mr Beasley of his suspension information, he became angry with me, explaining he did not realize he could not drive to or from work At this time, Mr Beasley said to me, "I would have never agreed to the test's I should have called an attorney" Mr Beasley argued that it was "unconscionable" to think he could be arrested for DUI and his license suspended

DISPOSITION

Upon completing my investigation, Mr Beasley was cited and released to a third party It should be noted that at no time, did Mr Beasley's wife try approach me again about an attorney while she waited for her husband outside the van during or before the breath test

DUI VAN
INTOXILYZER - ALCOHOL ANALYZER
AZ MODEL 5000 SN 66-004410
01/26/2002
COPY NUMBER 3 OF 3

19:21

SUB NAME = BEASLEY, EDWARD,
SUB DOB =
SUB SEX = MALE WEIGHT = 190
OFFICER = CAPNEY, SEAN,
OFFICER BADGE = 0005283
N.C.T.C NO.

TEST	BAC VALUE	TIME
AIR BLANK	.000	19:17
CAL. CHECK	.099	19:18
AIR BLANK	.000	19:18
SUBJECT TEST	.157	19:19
AIR BLANK	.000	19:19
AIR BLANK	.000	19:21
SUBJECT TEST	.155	19:22
AIR BLANK	.000	19:23
AIR BLANK	.000	19:23
CAL. CHECK	.098	19:24
AIR BLANK	.000	19:24

OPERATOR: _____

ADDITIONAL INFORMATION: 2002-006259

