

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
13 - 1303 - ORIGINAL**

INVESTIGATIVE INFORMATION

Offense	DRIVING WHILE INTOXICATED - FELONY		
UCR Crime Code	DRIVING UNDER THE INFLUENCE		
Juris Reporting	CHESTERFIELD	Call Received	ON VIEW
For Jurisdiction	CHESTERFIELD	Reporting Officer	5273 - KRUMM
Case Status	CLEARED BY ARREST	Reporting Dept.	CHESTERFIELD POLICE
CAD Details			
Date/Time Received	03/29/2013 22:51 FRIDAY	Nature	TRAFFIC ARREST
Date/Time Dispatch	03/29/2013 22:51 FRIDAY	Date/Time Arrival	03/29/2013 22:51 FRIDAY
Unit Num.	5C35	COGIS	5192
PCT/Dist	DISTRICT 6	Sector	
Respond Location			
Street Address	BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI		
Apt/Suite/Rm #	Location Desc		
Caller Information			
Caller Name			
Street Address			
Apt/Suite/Rm #	Location Desc		
Area Code	Phone #		
Occurrence Details			
Date/Time From	03/29/2013 22:51 FRIDAY	Date/Time To	
Premise	STREET/HIGHWAY/SIDEWALK/ALLEY		
Street Address	BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI		
Apt/Suite/Rm #	Location Desc		
Burglary Details			
Entry Point	Exit Point		
Entry Method	Tools Used		
<input type="checkbox"/> Visible Point of Entry?			
Weapon/Object Used			
Other Agency			
Agency/Personnel			
Investigator(s)			
DSN	5161	Jurisdiction	CHESTERFIELD
Name	POLLMAN, CHRISTOPHER	Unit Assignment	CHESTERFIELD
DSN	5119	Jurisdiction	CHESTERFIELD
Name	CASWELL, MARK	Unit Assignment	CHESTERFIELD POLICE
Management			
Date/Time Entered	03/30/2013 02:44 SATURDAY	Entered By	NICHOLAS MOLL
Approval Record(s)			
FINAL APPROVAL	JESSI STAHLMAN	DSN 5948	04/01/2013 14:23 MONDAY

VICTIM BUSINESS INFORMATION

☒ Will Prosecute
Business Name **STATE OF MISSOURI**
Business Type **GOVERNMENT**

Additional Info

ADDITIONAL PARTY #1 INFORMATION

Person Role(s) **REPORTING PARTY, WITNESS, PERSON DISCOVERING, POLICE OFFICER**

Last Name **KRUMM** Middle Name
First Name **DSN 5273** Suffix Name
SSN Ethnicity
License Number License State
Race Sex
DOB Age
Resident Status

Additional Info

Email Address

ADDITIONAL PARTY #2 INFORMATION

Person Role(s) **WITNESS, OWNER**

Last Name **MILLER** Middle Name **L**
First Name **DAWN** Suffix Name
SSN Ethnicity **NOT OF HISPANIC ORIGIN**
License Number License State
Race **WHITE** Sex **FEMALE**
DOB **07/13/1965** Age **47**
Resident Status **NON-RESIDENT**

Additional Info

Employer **SELF-EMPLOYED** Occupation **AUTHOR**

Street Address **, MISSOURI, 63640**

Apt/Suite/Rm # Location Desc

Area Code Contact Name
Phone # Ext.

Email Address

SUSPECT INFORMATION

Role **ARRESTED-BOOKED AT POLICE STATION**

Numeric Identifier(s)

Charge(s) **DRIVING WHILE INTOXICATED (FELONY), DRIVING WHILE REVOKED, FUGITIVE - COLE COUNTY**

Caution Code(s)

☐ Medical Assistance ☒ Miranda Given ☐ Released
☐ Send A Teletype ☐ Using Computer Equipment
☒ Warrant To Be Applied For By Reporting Officer

Last Name **CERVANTES** Middle Name **DOUGLAS**
First Name **BRETT** Sur Name
Alias Ethnicity **NOT OF HISPANIC ORIGIN**
SSN ☐ Employed
License Number License State **MISSOURI**
Race **WHITE** Sex **MALE**
DOB **12/30/1957** Marital Status **SINGLE**
Age **55** Resident Status **NON-RESIDENT**
Person Code **ADULT** Birth Place **, MISSOURI**
School District

Additional Info

Height 5 ft 8 in. Weight 180.0 lb.
Eye Color BROWN Hair Color GRAY/PARTIALLY GRAY
How Worn SHORT
Physical Desc.
Clothing Desc.
Scars/Marks/Tattoos

Street Address [REDACTED], MISSOURI, 63108
Apt/Suite/Rm # [REDACTED] Location Desc

Area Code [REDACTED] Contact Name
Phone # [REDACTED] Ext.

Email Address

Physical State
Emotions
Emotions Comments

1. CERVANTES, BRETT, DOUGLAS IS THE UNKNOWN OF STATE OF MISSOURI

VEHICLE INFORMATION

Owner Name DAWN MILLER
Vehicle Role(s) USED

Model Year 2008 Type TRUCK
Make JEEP Model WRANGLER
Primary Color RED Secondary/Interior Color
Style CARRY-ALL (SUV, TRAIL, PLEASURE VEHICLE)
Unique Char

License Plate [REDACTED] Plate Type TRUCK
License Year 2014 # Plates Missing
License State MISSOURI VIN [REDACTED]

Tow Company
☐ Owner Notified Tow Company Phone #
Notifier DSN

Vehicle Value
Vehicle Condition Recovered Value
Vehicle Disposition Equipment Missing

Additional Info

NARRATIVE

On the above date and time while on routine patrol on westbound Highway 40 after Chesterfield Parkway West I observed a red Jeep Wrangler bearing MSL [REDACTED] driving in the right most lane directly in front me. I observed the Jeep's driver side tires drift into the center lane before the driver corrected and brought the vehicle back into the right hand lane. I continued to follow the vehicle and subsequently observed the Jeep's passenger side tires cross the lane marker onto the shoulder before the driver again corrected and brought the vehicle back into the right lane. I observed the Jeep's driver side tires cross over into the center lane a second time and the driver again corrected and brought the

vehicle into the right lane. Due to the vehicle's inability to maintain a single lane I activated my emergency lights to bring the vehicle to a stop. The vehicle did not immediately stop and proceeded on 40 west approximately one tenth of a mile before pulling off onto the Boone's Crossing exit and coming to a stop on the shoulder of Boone's crossing.

I approached the vehicle and made contact with the driver, later identified as Brett D Cervantes (WM DOB: 12-30-1957). I informed Cervantes that I had stopped him due to his inability to maintain a single lane. Cervantes stated he was not used to driving the vehicle and was having trouble controlling it. Cervantes gestured towards the passenger, later identified as Dawn L Miller (WF DOB: 07-13-1965) and stated "it is her vehicle." While speaking with Cervantes I immediately detected a strong odor that I normally associate with the consumption of alcoholic beverages. I also noticed his eyes were watery and bloodshot and that his speech was occasionally slurred. Both the driver and the passenger denied consuming any alcoholic beverages.

I asked Cervantes for his Driver's license and proof of insurance. Cervantes stated he did not have his license on him and Miller stated she did not have her proof of insurance for the vehicle. I asked Cervantes for his name, DOB, and SSN and Cervantes provided the following information and identified himself as Barry Cervantes, DOB: 12-30-1957, SSN: [REDACTED]. Cervantes also indicated he lived at [REDACTED]. A search in the Missouri Department of Revenue Database revealed no Barry Cervantes with that DOB and SSN had a driver's license in the state of Missouri. The search did indicate that a Barry Cervantes (WM DOB: 03-31-1954 SSN: [REDACTED]) resided at [REDACTED]. A separate search showed Social Security Number [REDACTED] belonged to a Gary P Lalumandier (DOB: 12-06-1971).

Due to the odor of alcohol and the invalid identification information provided I requested an assist car and PO Pollman (DSN 161) responded to the scene.

I had Brett exit the vehicle and walk to the rear of the vehicle. While Brett was walking towards me I observed his balance was uncertain and at one point he slightly staggered. I informed Brett that the information he provided was inconsistent and not valid. I asked him to confirm the information and Brett provided the exact same identifying information. While speaking with Brett I observed he was swaying while standing. I also observed a bulge on his left ankle, underneath his pants. I frisked Brett for weapons and met with negative results. I did detect what felt like a wallet during the frisk. Brett confirmed it was wallet but stated he had nothing with his name on it in the wallet. I informed Brett that I believed he was drinking. Brett explained that the lump on his ankle was a monitoring bracelet and repeatedly stated "he can't drink." I then

asked Brett "Why do I smell alcohol?" and Brett gestured toward the jeep and said "she has been drinking."

I contacted the passenger Miller and obtained her valid MO Driver's license. I asked Miller what the driver's name was and she said "Brett Cervantes." Miller also stated the Brett had been drinking and she had seen him consume 1 or 2 drinks. With Brett outside of the vehicle I did not detect an odor of alcohol on Miller. Her speech was coherent and not slurred and her eyes appeared normal.

I returned to my vehicle and searched executed a computer records check using the last name Cervantes and a partial first of "B" and the DOB: of 12-30-1957. This search returned a Brett Cervantes (WM DOB: 12-30-1957 SSN [REDACTED]) whose Missouri Driver's License had been revoked and had an active warrant out of Cole County.

I exited my vehicle and contacted Brett. I told him I knew he was Brett Cervantes. I asked Brett if he had given me his brother's name and he stated he had. I asked Brett why he had given me his brothers' name and Brett said "because we often get confused for each other."

I deactivated my front flashing emergency lights and attempted to administer the standardized field sobriety tests and Brett agreed to take the tests. I attempted to perform the Horizontal Gaze Nystagmus Test but Brett ignored my instructions to not move his head and to keep following my finger with his eyes and eyes only. Despite frequent repeated instructions Brett was unable or unwilling to comply. Brett stated he was complying but continued to disobey instructions and the tests was discontinued. While attempting to administer the test I observed Brett lose his balance and stagger backwards a couple of steps. Due to the lack of cooperation, and Brett's uncertain balance no other standardized field sobriety tests were administered. I told Brett I believed he was drunk but that he could "prove me wrong" by taking a breath test at the station and he agreed to do so.

Based on my observations of his driving, the strong odor of alcohol on his breath, his uncertain balance, Millers statement that he had been drinking, his revoked driver's license, and the active warrant out of Cole County I placed Brett under arrest for Driving While Intoxicated, Driving While Revoked, Failure to Maintain a Single Lane, and being a fugitive from Cole County. I handcuffed Brett behind the back with handcuffs that were double locked and checked for proper fit. I then placed Brett in the rear passenger seat of my patrol car and secured him with a seatbelt. At Brett's request I retrieved his cell phone from the Wrangler. While transporting Brett to the station Brett stated "I may want to call my lawyer." Brett also stated he was nervous about taking a breath test because he had used "Listerine."

Upon arrival at the station I escorted Brett into the booking area where PO Caswell (DSN 119) was waiting. PO Caswell advised Brett of the provisions of the Missouri Implied Consent Law. Brett stated he would prefer to take a blood test but consented to chemical test of his breath and 15 minute observation period was begun. At 0040 hours Brett removed a mint from his pocket and placed it in his mouth. PO Caswell had Brett remove the mint and a second 15 minute observation period was started. During this period Brett was cooperative and joked around with PO Caswell and I. After successfully completing the second 15 minute observation period PO Caswell administered the Intoxilyzer 5000 test and received a result of .118 blood alcohol concentration by weight.

After the test was administered I escorted Brett back to the booking area to finish processing him in. While I was completing some paperwork Brett fell asleep on the bench in the holding cage and began snoring. I woke Brett up to complete the booking process. Throughout the rest of the booking process Brett was sullen. After completion of the booking process, Brett was searched and placed into cell number 5.

A computer records check through DWITS indicated Brett had two previous convictions for Driving While Intoxicated, making this his third offense and a felony. A records check also indicated he was on probation for DWI. The Missouri Department of Corrections Command Center was notified.

A visual examination of my patrol car's rear seat for contraband was conducted before and after transporting Brett and met with negative results.

After confirming Miller had a valid driver's license, was sober, and that the vehicle was registered to her she was allowed to drive the vehicle from the scene.

My investigation is still active and I will be applying for warrants.

Nothing Further.

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
13 - 1303 - SUPPLEMENT #1**

INVESTIGATIVE INFORMATION

Supplement Information

Current Case Status	CLEARED BY ARREST		
Date/Time Investigation	03/30/2013 09:10 SATURDAY		
Reclassified Description			
Orig. Offense	DRIVING WHILE INTOXICATED - FELONY		
Orig. UCR Code	DRIVING UNDER THE INFLUENCE		
Juris Reporting	CHESTERFIELD	Call Received	ON VIEW
For Jurisdiction	CHESTERFIELD	Reporting Officer	5262 - CERNA
		Reporting Dept.	CHESTERFIELD POLICE

CAD Details

Date/Time Received	03/29/2013 22:51 FRIDAY	Nature	TRAFFIC ARREST
Date/Time Dispatch		Date/Time Arrival	
Unit Num.		COGIS	5192
PCT/Dist	DISTRICT 6	Sector	

Respond Location

Street Address	BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI
Apt/Suite/Rm #	Location Desc

Caller Information

Caller Name	
Street Address	
Apt/Suite/Rm #	Location Desc
Area Code	Phone #

Occurrence Details

Date/Time From	03/29/2013 22:51 FRIDAY	Date/Time To	
Premise	STREET/HIGHWAY/SIDEWALK/ALLEY		
Street Address	BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI		
Apt/Suite/Rm #	Location Desc		

Burglary Details

Entry Point	Exit Point
Entry Method	Tools Used
<input type="checkbox"/> Visible Point of Entry?	

Weapon/Object Used

Other Agency

Agency/Personnel

Management

Date/Time Entered	03/30/2013 14:47 SATURDAY	Entered By	PAMALA DACEY
Approval Record(s)			
FINAL APPROVAL	HEATHER BENNETT	DSN 5947	04/02/2013 00:02 TUESDAY

NARRATIVE

In reference to above listed case, I wish to add the following.

On today's date at 0910 hours, I conveyed Cervantes to St. Louis County Intake on a detainer authorized by Cole County.

Nothing further at this time.

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
13 - 1303 - SUPPLEMENT #2**

INVESTIGATIVE INFORMATION

Supplement Information

Current Case Status **CLEARED BY ARREST**

Date/Time Investigation **06/21/2013 08:00 FRIDAY**

Reclassified Description

Orig. Offense **DRIVING WHILE INTOXICATED - FELONY**

Orig. UCR Code **DRIVING UNDER THE INFLUENCE**

Juris Reporting **CHESTERFIELD**

Call Received

ON VIEW

For Jurisdiction **CHESTERFIELD**

Reporting Officer

5273 - KRUMM

Reporting Dept.

CHESTERFIELD POLICE

CAD Details

Date/Time Received **03/29/2013 22:51 FRIDAY**

Nature

TRAFFIC ARREST

Date/Time Dispatch

Date/Time Arrival

Unit Num.

COGIS

5192

PCT/Dist

DISTRICT 6

Sector

Respond Location

Street Address **BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI**

Apt/Suite/Rm #

Location Desc

Caller Information

Caller Name

Street Address

Apt/Suite/Rm #

Location Desc

Area Code

Phone #

Occurrence Details

Date/Time From **03/29/2013 22:51 FRIDAY**

Date/Time To

Premise

STREET/HIGHWAY/SIDEWALK/ALLEY

Street Address

BOONES CROSSING RD AND I64 HWY W, CHESTERFIELD, MISSOURI

Apt/Suite/Rm #

Location Desc

Burglary Details

Entry Point

Exit Point

Entry Method

Tools Used

☐ Visible Point of Entry?

Weapon/Object Used

Other Agency

Agency/Personnel

Management

Date/Time Entered **06/25/2013 03:03 TUESDAY**

Entered By

ERIC SCOTT

Approval Record(s)

FINAL APPROVAL TAMMY WEGMAN

DSN 5946

06/26/2013 23:37 WEDNESDAY

WARRANT APPLICATION INFORMATION

Last Name	CERVANTES	Middle Name	DOUGLAS
First Name	BRETT		
Race	WHITE	DOB	12/30/1957
Sex	MALE	SSN	[REDACTED]

Warrant/Summons #	189229432	Prosecuted By	COUNTY COUNSELOR
Application Date	03/29/2013	Prosecutor Name	JAMES MAHER
Court Assigned		<input checked="" type="checkbox"/> Booked	
Bond Amount			

Additional Info

Charge Desc. #1	DRIVING WHILE INTOXICATED (FELONY)
Disposition	WARRANT ISSUED
Amended Charge	

Charge Desc. #2	DRIVING WHILE REVOKED
Disposition	WARRANT ISSUED
Amended Charge	

NARRATIVE

On the above date and time, I received notice that Assistant Prosecuting Attorney James Maher had issued warrants against suspect Brett Cervantes (W/M, 12/30/1957) for one count of DWI - Aggravated Offender and one count of Driving While Revoked.

This case remains cleared by arrest.

Nothing further.