

## DRUNKS AND THIEVES POST THANKSGIVING EDITION



**By John Hoffmann**

**December 2, 2015**

There hasn't been much government and political news due to the Thanksgiving Holiday weekend, but I have an abundance of local DWI and Theft cases that made their way through the local courts. There will be two more editions at the end of the year. The new police reports I get now are going to be featured later in 2016. However there is one very interesting case that will be our lead story in our next newsletter.

After reading this edition and the two at the end of the year, if you think there needs to be a change in judges and municipal prosecutors for ones who are more interested in keeping us safe and not giving great deals to their lawyer buddies contact your local elected representatives.

We looked at two theft cases at the Wal Mart in Chesterfield . One was an employee who was pocketing cash. She was facing eviction. She did not hire a lawyer. She did not make a number of continuances. It was her first offense and she went to court and pled guilty. She was hammered with a fine that was more than twice of what she stole. The next case involved someone who had been arrested for stealing at the Wal Mart Store before and was given a notice if he returned to the store he would be arrested for trespassing. He did return and got caught stealing again. He hired a lawyer, who continued the case several times and then moved it to the Associate Circuit Court causing more expense to the city. City prosecutor Tim Engelmeyer, who almost never tries a case, allowed him to leave the courthouse with no criminal record and a fine 55% less than the first time offender who showed up without a lawyer. The majority of the other cases reviewed are DWIs.

Some cases in our special editions at the end of the year will be even more outrageous.

**SHOPLIFTING IN UNIFORM NOT A GOOD MOVE!** Just before closing time on Saturday night June 14, 2014 the staff at the Camille Lavie shop in Chesterfield Mall, reported that two Black females had just stolen a \$279 dress.

Employees of the store responded when the sensor alarm sounded at the front door. One of the employees of Camille LaVie saw one of the females with maroon streaks in her black hair run out of the store stuffing the dress in a bag. The other woman, in a blue uniform T-shirt was already out of the store walking away when the alarm went off.

Another store employee went to the store's back door and witnessed the woman with red hair hand the bag to the other woman.



Justina Tolbert

One of the witnesses stated that the blue T-shirt worn by one of the women was a Raising Canes Chicken restaurant employee shirt. The witness who regularly eats at the Raising Canes in the Mall's food court recognized the woman with the maroon streaks in her hair as an employee of Raising Canes.

Officer McBride took the original report on June 14 and returned the next day to obtain a mall security photo. Officer McBride then went to Raising Canes and observed the suspect with the maroon streaks in her hair working at the restaurant.

Officer McBride arrested the suspect, Justina Tolbert , 20, of North St. Louis County. At the police station Tolbert first denied being in the Camille LaVie store. She then changed her story and said she handed the bag to a friend and went into the store to buy something. (McBride did not report what it was she claimed she wanted to buy.)

He reported that Tolbert would not "provide a solid answer on who she was with at the time."

McBride with the help of the manager established who he thought the second person was but did not conduct an additional investigation, He wrote: "The female wearing navy will not be charged at this time unless further evidence is discovered. This is due to her believed to be out of the store at the time the sensors activated."

**OUTCOME:** Tolbert's lawyer moved this case on a "jury demand" (with no intention of trying the case) to the Associate Circuit Court in Clayton. Chesterfield prosecuting attorney Tim Engelmeyer still was supposed to prosecute the case. Despite having two witnesses, security video and more Engelmeyer as usual did not prosecute Tolbert for theft.



Tim Engelmeyer

On January 8, 2015 Tolbert pled guilty to "littering" and was fined \$350.

**Lessons learned:**

- 1) Don't commit crimes where you serve the potential witnesses on a daily basis at a fast food restaurant.
- 2) Do not commit crimes while having distinctive hair styles.
- 3) Try not to wear uniform T-shirts from a nearby fast food restaurant where you work.
- 4) If you are going to ignore the first 3 rules, commit the crime in Chesterfield where the city prosecuting attorney will reduce a graduated felony offense to littering.

**THE FIRST CLUE YOU MIGHT BE DRUNK IS YOU PASS A MARKED POLICE CAR IN DAYLIGHT AT 103 MPH.** A Town and Country woman had been mixing booze and pills when arrested.

On Wednesday July 10, 2013 at the end of the evening rush hour around 6:50 Cpl. Berry of the Town and Country Police was driving on WB I-64 just before the Maryville Centre Drive exit when he observed a black 2013 Mercedes Benz overtaking his marked police car at a very high rate of speed. Cpl. Berry clocked the Mercedes at 103 MPH.



Gayla Bentley

Cpl. Berry managed to stop the car on I-64 west of Timberlake Manor in Chesterfield, MO. He identified the driver as 60-year-old Gayla Bentley of 13760 Clayton Road in Town and County.

Cpl. Berry reported that Bentley had a strong smell of alcoholic beverages on her breath, her eyes were glassy and bloodshot and her speech was slurred. She denied having anything to drink but admitted taking "some" Hydrocodone pills. A field breath test showed Bentley had a BAC level over .08%.

She was arrested and agreed to a Blood Test rather than a breath test. A search of her car revealed a partially filled glass containing wine and a wine bottle that was cold to the touch that was 3/4's empty.

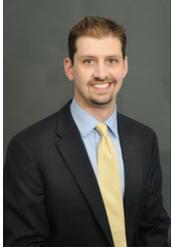
The blood test revealed that Bentley's BAC level 58 minutes after she was stopped had dropped to 0.078%. The blood test also showed the presence of desmethylvenlafaxine, a drug used to treat major depressive disorders.

Bentley should be aware of the use of alcohol and drugs as she and her husband run the Bentley Extended Care nursing home at 3060 Ashby Road in Overland. In fact it is at that address where the couple's Mercedes Benz and BMW automobiles are registered at.

**OUTCOME:** In October of 2014 Bentley's lawyer moved the case to the Associate Circuit Court in Clayton. There it was continued until May 21, when the Town and Country prosecutor Brian Malone does what he does best. He got rid of the Driving

While Intoxicated & Drugged charge, reducing it to a 2-point Careless Driving charge. Bentley pled guilty to the non-alcohol related charge and was fined \$700.

The 103 MPH in a 60 MPH zone in the late afternoon daylight hours resulted in a SIS "no-record" probation term as long as Bentley went to Driving School. Once again it is another case where the local prosecutor shows how someone can be doing over 100 mph and not get any points on their driving record for speeding.



Brian Malone, where protecting the public and identifying dangerous drivers is an uncommon concept, especially if they are represented by lawyers.

**IF THE SECURITY DEPARTMENT DOESN'T GET YOU, THE ACCOUNTING DEPARTMENT WILL:** 23-year-old Shea Collins worked as a cashier at the Chesterfield Walmart. She lived in St. Louis.



Shea Collins

On July 10, 2014 the accounting department notified security that cash register #4 that Collins had been working at on July 9 was \$46.40 short. A review of security video showed that at 9:06 pm Collins accepted a \$50 for payment, but instead of placing the bill in the large denomination slot, she folded it up and placed it in a coin slot. She would later palm the bill and put it in her pocket.

On July 18 while she was working at Register #18, there was a \$50 shortage. A video review showed she again palmed the bill after accepting it.

On July 20 at 5:30pm a video showed she was back on cash register #4 this time she palmed a \$100 bill putting it in a pants' pocket.

On July 22 Collins was taken to the security office and admitted to stealing the money. She said she had lost her car and was behind in her apartment rent. The Chesterfield Police were called and she was arrested. She had fugitive warrants from Town and Country and St. Louis.

**OUTCOME:** In less than a month from the date of her arrest Collins appeared in Chesterfield Municipal Court and pled guilty to stealing. She was fined \$400.

Court records show that Collins was evicted from the Oak Park Apartments at 11234 Marbella in St. Louis on April 22, 2014. On July 6, 2015 she had eviction proceedings filed against her by the River Chase Apartments in Florissant.

It is interesting that Collins was behind in her rent and Judge Brunk fined her more than twice the amount of what she was accused of stealing. Apparently she was being punished for not continuing her case numerous times, hiring a lawyer who then would move the case to Clayton costing the city more money to prosecute her. Instead she showed up at the first court date issued to her and pled guilty.

It was clear that Collins was being punished by Judge Brunk for not hiring a lawyer. A \$100 fine would have been more than appropriate.

**STEALING IS LOVELIER THE SECOND TIME AROUND...18 YEAR OLD RETURNS TO THE SCENE OF THE FIRST CRIME TO STEAL AGAIN. CHESTERFIELD PROSECUTOR REDUCES CHARGES AND GOES FOR A SECOND PROBATION.** You might think that once someone is arrested for stealing, placed on probation and issued a "No Trespassing" order from the store that they would not return to that store to steal and might not return to the same city to do more shoplifting.

However if you were dealing with 18-year Tradell Devon Buckner of 17078 Sandlewood Creek in Wildwood you would be wrong.



Tradell Buckner

A Chesterfield Walmart security officer on Thursday September 11, 2014 at 9:25 observed 18-year-old Tradell Buckner shove a \$100 radar detector down his pants and leave the store. Security was on the phone to the police before Buckner exited the store. Officer McBride thought that he may have passed the suspect leaving the lot in a white Ford subcompact. He turned around and got the license number of the car and then continued to the store.

Meanwhile the sight of the marked police car got Buckner worried enough that he wrapped the stolen radar detector in his hat and threw it out the window. With an image of the suspect from the store video in hand, McBride went to the apartment in Wildwood where the Ford was registered. He knocked on the door and there was Buckner, now dressed in just some shorts, but matching the photo.

He was arrested and on the ride back to Chesterfield he said he threw the radar detector out the window. It was found on the side of the road near Wal Mart wrapped in Buckner's hat.

At the police station it was determined that Buckner had been arrested at the Wal Mart before for stealing and was issued a "Trespassing Notice" informing him if he returned to the store he would be arrested for trespassing. He was charged with Stealing and Trespassing.

**OUTCOME:** Buckner managed to hire a lawyer who moved the case to the Associate Circuit Court. On May 14, 2015 despite Buckner being a repeat offender and being on probation for the same offense, Chesterfield prosecutor Tim Engelmeyer rewarded Buckner for hiring a lawyer by making a deal. Buckner pled guilty to stealing, received

another "no-record" probation term with no fine. He then reduced the Trespassing charge to "Littering" with a \$175 fine. Ironically despite actually littering when he threw the loot out the window Buckner was never charged with that, but pled guilty to it.



While Shea Collins saved Chesterfield a lot of money by coming at the first court date and pleading guilty, she was hammered with a \$400 fine. Buckner cost the city money, forcing the city court clerk to forward the case file to Clayton, where another clerk had to enter it in computer and put it on a docket followed by Engelmeyer charging to go to Clayton. But Buckner was fined 55-percent less than Collins despite being a repeat offender. CHESTERFIELD JUSTICE IS IF NOTHING ELSE INTERESTING.

**WHEAT BEER, HONEY WHISKEY AND OH YEAH I HAD A DIET DR. PEPPER TOO, SAID KIRKWOOD WOMAN AFTER HER SECOND DWI ARREST:** On September 18, 2013 Casey Lynn Mauer, 24, of Kirkwood was very drunk and headed north on I-270 in her 2004 gold Chevy Cavalier. Shortly after entering the Town and Country city limits she ran off the road, blowing both front tires and then drove another 50 feet before coming to a stop.



Casey Lynn Mauer

Officer Palmer responded to a call of a car off the road at 11:17 pm when he discovered Mauer, and her car minus the two front tires that had shredded off the wheels. She was sitting behind the steering wheel with the engine running. Mauer's speech was slurred and confused, her eyes bloodshot, her breath smell of intoxicants and she could not stand still without swaying.

Mauer failed a field sobriety test. An unofficial portable breath test showed her BAC level to be above .08%. She was arrested for DWI and transported to the Town and Country Police Station. There the official breath test showed her BAC level to be .219%. Found in her car was an open, partially filled and cold to the touch 12 oz bottle of Pete's Wicked Peach Wheat Beer.

At the police station in the interviewed Mauer stated that she thought she was currently in "North St. Louis." When asked if she had anything to drink she replied she had some Peach Wheat Beer, American Honey whiskey and a Diet Dr. Pepper.

It was determined that on March 16, 2010 Mauer was convicted of DWI in Columbia Missouri resulting from a August 23, 2009 arrest.

**OUTCOME:** Mauer's lawyer moved the case to Clayton and on June 1, 2015 she pled guilty to DWI and was sentenced to 60 days in jail, but was immediately placed on a 2-year Suspended Execution of Sentence by Judge John Borbonus.

**COUPLE OF BEERS, CHANGED TO 2 1/2 GLASSES OF WINE, BUT BAC LEVEL WAS 4 TIMES LEGAL LIMIT:** Jacek Maslak admitted having something to drink at his place of employment, the now closed Lester's in Chesterfield on Clayton Road, he just wasn't sure how much.

On Tuesday morning (actually Monday late night) October 15, 2013 at 1: 50 am Maslak, 51, was taking Highway 141 to I-64 to go home in Madison, IL. He was observed weaving between lanes when Town and Country Officer Hamel decided to stop him. Maslak did not pull all the way onto the shoulder, but stopped with half the car blocking the right lane. He had trouble getting the window to roll down on his Chrysler.



Officer Hamel reported that Maslak's breath had the strong smell of intoxicants, his eyes were glassy and watery, that he was staggering, stumbling and almost falling when he tried to walk, that his speech was confused, slurred and he mumbled. Maslak failed field sobriety tests, a field breath test indicated he was intoxicated and he was arrested.

This is from Hamel's report concerning the overall condition of Maslak:

BREATH	ODOR OF ALCOHOLIC BEVERAGE: <input type="checkbox"/> FAINT <input type="checkbox"/> MODERATE <input checked="" type="checkbox"/> STRONG <input type="checkbox"/> NONE					
	ODOR OF MARIJUANA OR CHEMICAL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
EYES	<input checked="" type="checkbox"/> WATERY	<input type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input checked="" type="checkbox"/> STARING	<input type="checkbox"/> ARTIFICIAL EYE	
PUPILS	<input type="checkbox"/> CONSTRICTED	<input type="checkbox"/> SLOW REACTION TO LIGHT		<input type="checkbox"/> DILATED		
BALANCE AND WALKING	<input type="checkbox"/> UNCERTAIN	<input type="checkbox"/> SWAYING	<input checked="" type="checkbox"/> STAGGERING	<input checked="" type="checkbox"/> STUMBLING	<input checked="" type="checkbox"/> FALLING	<input type="checkbox"/> OTHER:
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input checked="" type="checkbox"/> CONFUSED	<input type="checkbox"/> INCOHERENT	<input type="checkbox"/> STUTTERING	<input checked="" type="checkbox"/> MUMBLING	<input type="checkbox"/> OTHER:

At the police station his official breath test was .316%.

NAME OF OPERATOR	TROOP OR AGENCY	DOHSS PERMIT NUMBER	EXPIRATION DATE (MM/DD/YYYY)	BLOOD ALCOHOL CONCENTRATION BY WEIGHT  <b>.316%</b>
CHRIS MOORE	TOWN & COUNTRY	220302	09/25/2014	
DATE (MM/DD/YYYY)	LOCATION OF INSTRUMENT	SERIAL NUMBER	WITNESS (IF ANY)	
10/05/2013	TOWN & COUNTRY	201241	PO HAMEL, DSN 126	

During an interview at the police station Maslak first stated he had "a couple of beers" after work. Within about minute while answering another question the beer changed into wine (apparently a divine miracle) and Maslak said he had 2 1/2 glasses of wine.

He was cited for Improper Lane Use and DWI.

**OUTCOME:** Maslak who previously had an address in Brentmoor Park in Clayton, then in Foley, Missouri before moving to Madison, IL, had his attorney move the case to Clayton. On June 4, 2015 Town and Country prosecutor Brian Malone dropped the Improper Lane Use charge and Maslak pled guilty to DWI before Judge Joseph Dueker.

Dueker sentenced Maslak to 90 days in jail but immediately stayed the jail time and placed Maslak on a 2-year SES probation term. He also was fined \$500. At the time of his arrest, despite giving an Illinois address, Maslak still had a Missouri drivers' license. He was both fined and received points. This sentence was unusual as Maslak got 12 points and was also fined.

**THIRD TIME DRUNK DRIVER ALMOST CRASHES AT I-64 CONSTRUCTION WORK AREA. TELLS ARRESTING OFFICER THAT SHE WASN'T GOING TO DO ANY OF HIS "FUN TESTS." COUNTY PROSECUTOR DROPS DWI CHARGE. DRUNK DRIVER GETS NO POINTS FOR RECKLESS ACTIONS** Just after midnight on

Wednesday October 29, 2014 Cpl. Chris Moore was assisting a Missouri Department of Transportation road repair work crew that had closed the left hand "fast lane" and the center "middle lane" for repair work on I-64 at Mason Road. Only the right hand lane was open. The speed limit had been reduced from 60 MPH to 50 MPH. Moore was parked in the two closed lanes with his warning lights flashing.

There were lighted signs, flashing arrows and orange pylons closing the lanes and warning motorists of the work zone ahead. Cpl. Moore reported that the entire roadway was briefly closed while equipment was moved.

During this closure with stopped traffic in the curb lane, he observed a vehicle (2007 gray Acura) approaching at a high rate of speed. He clocked the car doing 64 MPH in the 50 MPH work zone. He watched as the car failed to slow down until the last seconds when the driver slammed on the brakes, the car's front end nose dived and the car came to a stop inches from the last stopped car.

When traffic started moving again the Acura being driven by former Town and Country resident (Cabernet Dr) and current Ballwin resident, Danielle Richardson, didn't. She remained stopped. Cpl. Moore then pulled behind her.



Danielle Richardson



Once Richardson was out of the work zone Cpl. Moore tried to pull her over but she kept driving for another 300 feet before pulling onto the right shoulder.

Once stopped Cpl. Moore detected a strong odor of intoxicants on Richardson's breath. Her eyes were dilated, glassy and watery. She told Moore that she didn't think she

needed to pull over because she had not done anything wrong. When asked she denied ever having a single drink during the evening.

Richardson was unable to provide her drivers' license as she said it has lost. She said she had gotten a replacement license but that one was stolen. Moore reported that Richardson seemed to be confused.

Once out of the car Richardson swayed back and forth while standing. Cpl. Moore asked her to recite the alphabet beginning at the letter D and stopping at the letter L. She asked him if he wanted her to sing-song the alphabet and why not just give her the ticket. She then informed him that she was "not going to do any of his fun tests."

She was then arrested for DWI, Speeding and Failure to Yield to an Emergency Vehicle.

She refused to take a breath test at the police station. She was released on the citations for Speeding and Fail to Yield to an Emergency Vehicle. The DWI case was presented to the County Prosecutor's Office as a Felony offense due to prior DWI convictions against Richardson. A Breath Test Refusal Report was sent to the Department of Revenue Motor Vehicle Drivers' License Unit.

**CHARGING AND BACKGROUND:** This was at least Richardson's third DWI arrest. In 2006 and in 2011 she refused to take breath tests in connection with DWI arrests. It also appears she challenged a DOR DWI action in 2004.

In connection with this Town and Country DWI arrest, the DWI charge was filed with the St. Louis County Prosecutors as a Felony DWI Persistent Offender. The Speeding and Fail to Yield to an Emergency Vehicle were filed in the Town and Country Municipal Court.

**CIRCUIT COURT OUTCOME:** The DWI case was originally continued once when the court date fell when Cpl. Moore was out of town on vacation. It was later dismissed in July of 2015. The County Prosecutor's Office claimed Cpl. Moore didn't show up for court. I found this very unlikely as Cpl. Moore is not the type to miss court.

I inquired further and found out that Cpl. Moore was never notified of the new court date. The judge refused to allow another continuance when the assistant prosecutor realized the witnesses were not notified of the court date.

**MUNICIPAL COURT OUTCOME:** Despite putting workers lives in jeopardy by speeding through an active construction zone at night after passing numerous warning signs Richardson was able to leave court with no points on her drivers' license.

Uniform Citation		Violator's Copy	
ORI NO. MO 0857200 TOWN AND COUNTRY POLICE STATE OF MISSOURI DIVISION OF 21st CIRCUIT COURT		<b>140060217</b>	
STATE OF MISSOURI		DIVISION	
IN THE CIRCUIT COURT OF TOWN AND COUNTRY MUNICIPAL COUNTY 1			
COURT ADDRESS (Street, City, Zip)			
1011 MUNICIPAL CENTER DRIVE DR, TOWN AND COUNTRY, MO, 63131			
COURT DATE	COURT TIME	COURT PHONE NO.	
12/04/2014	7:00 PM	(314) 432-1420	
I, KNOWING THAT FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY LAW, STATE THAT I HAVE PROBABLE CAUSE TO BELIEVE THAT:			
ONABOUT (Date)	AT TIME	HWY CLASS	UPON / AT OR NEAR (LOCATION)
10/29/2014	0058 HRS		WE IS 64 AT CRD MASON RD
WITHIN CITY / COUNTY AND STATE AFORESAID,			
NAME (LAST, FIRST, MIDDLE)			
RICHARDSON, DANIELLE, MARIE			
STREET ADDRESS			
OAKWOOD FARMS CT			
CITY	STATE	ZIP CODE	
BALLWIN	MO	63021	
DATE OF BIRTH	RACE	SEX	HEIGHT
11/13/1975	W	F	500
DRIVER'S LIC. NO.	CDL	STATE	WEIGHT
	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MO	110
EMPLOYER			
ADDRESS (Street, City, State, Zip)			
DID UNLAWFULLY <input checked="" type="checkbox"/> OPERATE/DRIVE <input type="checkbox"/> PARK <input type="checkbox"/> C.M.V. <input type="checkbox"/> WITH HAZ. MAT			
YEAR	MAKE	MODEL	STYLE
2007	ACURA	MDX	4D
REGISTERED WEIGHT	L I C	NUMBER	STATE
			MO
			YEAR
			2015
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE. THE FACTS SUPPORTING THIS BELIEF ARE AS FOLLOWS:			
<b>SPEEDING IN A CONSTRUCTION ZONE</b>			
<b>STK RADAR C8 RASTA L1 64 MPH ACTIVE MARKED ZONE</b>			
<b>WITH WORKERS PRESENT</b>			
<input checked="" type="checkbox"/> Subject taken into custody. (Complete "For Issuance of a Warrant" section on reverse side.)			
DRIVING	POSTED SPEED LIMIT	DETECTION METHOD	
64 MPH	50 MPH	<input checked="" type="checkbox"/> STATIONARY RADAR <input type="checkbox"/> WATCH (AIR) <input type="checkbox"/> PACE	
<input type="checkbox"/> MOVING RADAR <input type="checkbox"/> WATCH (GROUND) <input type="checkbox"/> OTHER			
IN VIOLATION OF: STATUTE/ORDINANCE - CHARGE CODE			
<input type="checkbox"/> RSMo. 320.090 90006050			
<input checked="" type="checkbox"/> ORD.			
SEAT BELT VIOLATION: STATUTE/ORDINANCE - CHARGE CODE			
<input type="checkbox"/> RSMo.			
<input type="checkbox"/> ORD.			
<input type="checkbox"/> IN FATAL CRASH <input type="checkbox"/> IN CRASH <input type="checkbox"/> DWI / BAC			
OCN			
OFFICER	BADGE	TRP / ZONE	DATE
/s/ Cpl. Moore	00083		10/29/2014
ON INFORMATION, UNDERSIGNED PROSECUTOR CHARGES THE DEFENDANT AND INFORMS THE COURT THAT ABOVE FACTS ARE TRUE AND PUNISHABLE BY:			
<input type="checkbox"/> RSMo. Sec 100.159			
PROSECUTOR'S SIGNATURE			DATE
I promise to dispose of the charges of which I am accused through court appearance or prepayment of fine and court costs.			DR. LIC. POSTED
SIGNATURE X			<input type="checkbox"/> YES
			<input checked="" type="checkbox"/> NO



Apparently Town and Country City Prosecutor Brian Malone and Municipal Judge Dean Waldemer believe a woman from Ballwin with multiple past DWIs and having numerous moving violations all reduced to "parking violations" with a local lawyer representing her is far more important than the lives and safety of people working on the roads..



Malone



Waldemer

The Failure to Yield to an Emergency Vehicle charge against Richardson was dismissed. On December 22, 2014 the Speeding charge was reduced to "Illegal Parking" with a \$170 fine. To repeat, Richardson was drunk, speeding in an active construction, almost crashed into stopped traffic and would not pull over for the police and she received No Points and fined a total of \$170.

OTHER BREAKS: Here are some other breaks Richardson has gotten:

- 02/02/03 Had St. Louis County PD Speeding charge reduced to "speeding less than 5 mph over limit. No Points.
- 05/12/06 Three moving violations issued by Pine Lawn PD and moved to Assoc. Circuit Court in Clayton were reduced to "Illegal Parking" with \$500 fines for each citations for a total of \$1,500.
- 05/30/06 Moving violation issued by Missouri Highway Patrol was reduced to "Illegal Parking" with a \$225 fine.
- 12/01/09 Moving Violation from Highway Patrol reduced to Loud Muffler with a \$150 fine.
- 02/11/15 With pending charges of Speeding and DWI from Town and Country in 2014, Ellisville PD cited Richardson for a moving violation. On June 5 Ellisville judge Don Anderson accepted a reduced charge of "Illegal Parking" and levied a \$150 fine.

**93 MPH SPEEDING DRUNK DRIVER GETS A NO FINE, NO POINTS PROBATION AFTER REFUSING TO TAKE A BREATH TEST.** It was Saturday night into Sunday morning over the 2014 Thanksgiving weekend at 3:05 am. Thanksgiving holiday is top weekend for deadly accidents and drunk drivers.

Town and Country Officer Becker clocked a 2001 black Chevy Suburban just under the sound barrier at 93 MP was it was driven east from Mason Road approaching I-270. As Officer Becker tried to catch up with the Suburban it went up the NB I-270 ramp at a high rate of speed. If you have ever driven a Suburban, handling isn't one of the vehicle's selling points.

Officer Becker managed to clock the Suburban SUV at 88 mph entering I-270 from the ramp. He finally got the SUV stopped on NB I-270 north of Olive Blvd.

The driver, David A. Johnson, 45, of Glen Carbon, IL, was drunk. His eyes were bloodshot, his breath had a strong smell of alcoholic beverages and he swayed when he tried to stand still. He failed the field sobriety tests and a field breath test instrument showed he was drunk. He told Officer Becker he had "four beers" earlier.



David Johnson

Besides all of this his license plates had expired 20 months earlier in March of 2013.

He was arrested and taken to the Town and Country Police Station where he refused to take the "official breath test" and refused to be interviewed.

He was cited for DWI, Speeding 33 MPH over the limit, and Expired License Plates.

**OUTCOME:** On April 9, 2015 Johnson had the Expired License Plate charge dismissed. Apparently having 20 month expired plates is close enough for the Town and Country prosecutor, Brian Malone.

He pled guilty to DWI and Speeding. Despite being drunk and driving 33 MPH over the speed limit on one of the deadliest weekends of the year and refusing to take a breath test, Johnson got the No fine, No -Points SIS probation for DWI. He was fined \$450 for speeding.

Johnson challenged his Breath Test Refusal in Circuit Court before a hearing officer on July 29, 2015 and lost, meaning his driving privilege in Missouri is Revoked for One Year.

**26-YEAR-OLD WITH A PRIOR DWI ARREST GOT A NO-POINTS NO-FINE PROBATION ON HER DWI ARREST. She did have to pay for two other tickets.**

On Thursday night/Friday morning June 13, 2014 26-year-old Maria McLeer was driving her 1997 Honda Accord home to her apartment in South St. Louis. She was eastbound on I-64 approaching Mason Road when Town and Country Officer Hamel was behind her.

Officer Hamel observed her drive from one of the two center lanes, across the right lane and onto the shoulder. He continued to follow her and observed more lane weaving and then watched her change to the exit lanes to go SB on I-270 without signaling. Officer Hamel got her pulled off to the side of the Highway on SB I-270 at Clayton Road.



Maria McLeer

Upon contacting McLeer Officer Hamel reported that he could smell alcoholic beverages on her breath and that her speech was slurred. She said had a "couple of beers" at a friends' house. McLeer had a prior DWI arrest and conviction in Maryland Heights in 2012. Here is what Officer Hamel then wrote in his report:

I instructed McLeer to step out of the vehicle. When she exited, she leaned against the side of the vehicle and stood still. As she walked to the back of her vehicle, she was staggering. I asked McLeer to perform Standardized Field Sobriety Tests, and she agreed to do so. Before she started the Horizontal Gaze Nystagmus Test, she asked, "If I don't pass it, can I have someone come get me?" Before she started the Walk-and-Turn Test, she asked, "Is there any way I can just, like, call a ride right now?" The results of the Standardized Field Sobriety Tests can be found on page 1 of the A.I.R. form 2389. While McLeer stood still, she was swaying. I asked McLeer to take the Portable Breath Test, to which she agreed. The result of the Portable Breath Test exceeded a .080% BAC.

She was arrested and at the police station during an interview her beverage for the evening changed from beer to wine. Here is what she said concerning how much she had to drink from Officer Hamel's report.

HAVE YOU BEEN DRINKING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, WHAT WERE YOU DRINKING? WINE	
TIME STARTED 7:00 PM		TIME STOPPED 11:00 PM	
HOW MUCH? TOO MUCH	WHERE? FRIEND'S HOUSE	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

She took the official BAC test at the police station. It showed her BAC level to be .143%.

McLeer was cited for DWI, Improper Lane Use and Fail to Signal a Lane Change.

**OUTCOME:** Her attorney moved the case from Town and Country Municipal Court to St. Louis County Associate Circuit Court. It was still prosecuted by Brian Malone, the Town and Country Prosecuting Attorney.

On August 13, 2015 McLeer pled guilty to all three charges. On the DWI, her second in two years, she was given a no-fine, no-points SIS probation term by Judge Joseph Dueker, who apparently is not worried about repeat drunk drivers causing havoc. Her probation term runs until 2017.

On the Improper Lane Use by weaving citation she was fined \$300 and on the Failure to Signal she was fined \$400.

**WOMAN WITH PRIOR DWI ARRESTED FOR DWI AT 10 IN THE MORNING, ACTUALLY CONVICTED BY TOWN AND COUNTRY COURT:** The system apparently worked as it is supposed to for a change. **Rachel Mana**, 35, of South St. Louis County was having problems driving in one lane on SB I-270 Sunday December 7

at just before 10 o'clock in the MORNING. She was also speeding and also being observed by Town and Country Police Officer Palmer.



Rachel Mana

Officer Palmer observed Mana behind the wheel of a 2015 Dodge Journey SUV weaving over three lanes of traffic. He then clocked her speeding 75 MPH in a 60 MPH zone.

Once Officer Palmer stopped the SUV he immediately noticed that the driver, Mana had been drinking as her breath smell of intoxicants, her speech was slurred and she mumbled when talking, her eyes were bloodshot and she swayed when she tried to stand still.

She failed field sobriety tests and failed an unofficial field breath test. She was arrested at 10:24 AM for DWI.

Once at the police station she also stated that she was taking prescription drugs that should not be used with alcoholic beverages.

She refused to take the official breath test at the police station.

She was cited for DWI, Speeding, Lane Weaving, No Proof of Insurance.

A check showed that in 2008 she had a DWI in Shiloh, Illinois.

While reviewing this case we found that in 2005 Mana had a one-year Order of Protection and No Stalking Order issued against her by St. Louis County Associate Circuit Judge Dennis Smith.

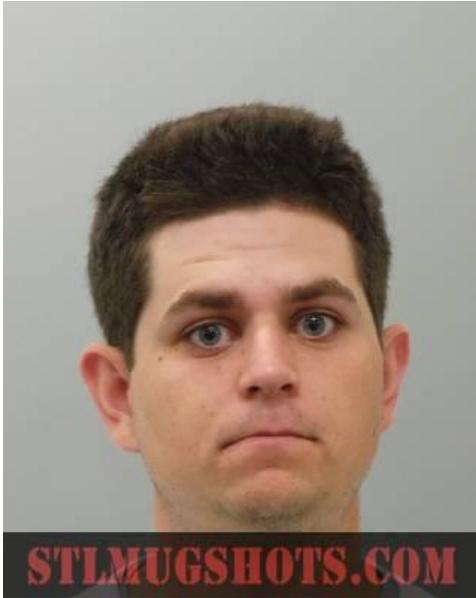
**OUTCOME:** On July 9, 2015 Town and Country prosecutor Brian Malone dropped all the charges against Mana except the DWI. She pled guilty, was placed on a SES 2-year probation and ordered to pay a \$400 fine. The DWI points went on her Missouri Driving Record.

She also appealed the revocation for failing to take a breath test. On October 8, 2015 a Hearing Officer ruled against her and her Missouri drivers' license was revoked.

**We ran the following DWI and Drug Possession story in our July 29 Newsletter #186. Since some people don't read all the weekly newsletters we are reposting it here.**

**I-64 IS SHUT DOWN FOR WRONG WAY DRUNK AND DRUGGED DRIVER GOING EAST IN WESTBOUND LANES FROM CHESTERFIELD TO ALMOST FRONTENAC. COUNTY PROSECUTOR'S OFFICE REFUSED TO PROSECUTE AND SENT CASE TO TOWN AND COUNTRY MUNI COURT:** At the early Saturday morning hour of 4:55 am there can be a surprising number of motorists on I-64. The West County Police Dispatch Center found that out on February 15, 2014 when it was flooded with calls about a wrong way driver on I-64 going east in the westbound lanes from Chesterfield Parkway into Town and Country. The West County Dispatch Center handles police calls and radio traffic for Town and Country, Creve Coeur and Frontenac police departments.

Officer Fowle of the Town and Country Police was the first officer to observe the silver 2008 Ford escape travelling in the wrong way in the fast lane of I-64 between Mason Road and I-270. It was later determined that the car was being driven by Patrick Dillon Schless of Creve Coeur.



Patrick Dillon Schless

Officer Fowle witnessed several near misses as westbound traffic in the fast lane swerved to avoid Schless. Fowle driving east in the eastbound fast lane pulled next to Schless with his lights flashing, siren sounding and his spotlight waving ahead to get westbound motorists to pull to the right to avoid a head-on collision.

Schless was not stopping as he approached I-270. Fowle radioed ahead for Frontenac and Ladue Police to close down the westbound lanes of I-64. Fowle could see Schless turning his head and looking at him but not slowing down to stop. Finally with the highway shut down, Schless stopped near Ballas Road. Here is what Fowle wrote in his report what happened next:

I immediately made contact with the driver. Thee driver would not comply with my requests to open or exit driver's side door. He eventually shut his vehicle off, removed the keys from the ignition and placed them on the passenger seat. The driver unlocked the doors, exited his vehicle and was placed into handcuffs.

The driver was identified by his Missouri Operators License as Patrick D. Schless W/M 05/25/1989. I immediately noticed a strong odor of an intoxicating beverage about Schless. I explained to Schless the reason for the traffic stop and informed him that he was under arrest for DWI and Wrong Way Driving. Schless admitted to drinking a few intoxicating beverages that evening. Schless' eyes were watery, bloodshot and glassy.

Prior to his car being towed a search revealed a large amount of marijuana in a lunch box and a digital scale on the front seat and another bag of marijuana on the rear floor. The odor of just smoked marijuana was in the car. Schless was by himself.

Officer Fowle noted at the police station that Schless' pants were unzipped, he had a strong smell of intoxicants on his breath, his eyes were bloodshot, glassy and watery, that he was mumbling when talking and his balance was uncertain and he swayed when standing. A breath test showed that Schless' BAC level was .13%.

In an interview at the police station Schless changed the "few drinks" to "a good 10 or 11."

INTERVIEW — RECORD PERSON'S RESPONSES				
WHAT TIME IS IT NOW? 3:30 OR 4 AM	WHAT IS THE DATE? THE 15th OF FEB	WHAT DAY OF THE WEEK IS IT? SATURDAY	WHAT CITY (COUNTY) ARE YOU IN NOW? ST. LOUIS, MO...TOWN & COUNTRY	
WHEN DID YOU LAST EAT? AT 8 PM		WHAT DID YOU LAST EAT? MAC AND CHEESE, APPLE AND A HOSTESS DEVIL'S FOOD CAKE.		
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? I WAS AT A BAR FOR A COUPLE HOURS.				
WERE YOU OPERATING THE VEHICLE AT THE TIME OF THE CRASH OR STOP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
HAVE YOU BEEN DRINKING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHAT WERE YOU DRINKING? BEER AND WHISKEY			
TIME STARTED 10:15 PM		TIME STOPPED 2:30 AM		
HOW MUCH? GOOD 10 OR 11 DRINKS	WHERE? THE POUR HOUSE, TALAYNA'S		ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU USED MARIJUANA OR ANY OTHER DRUG, LEGAL OR ILLEGAL, IN THE LAST 72 HOURS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHEN? 10 PM TONIGHT	WHERE? AT A BUDDIES HOUSE	HOW MUCH? A JOINT	IF YES, WHAT? MARIJUANA
DO YOU HAVE ANY TEMPORARY OR LONG-TERM PHYSICAL OR MENTAL CONDITIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, EXPLAIN:			

Schless had a prior DWI conviction in 2011 in Creve Coeur and at the time of his arrest had a drug possession charge pending in University City.

Schless was released to what had to have been very proud parents, with no citations being issued as Fowle was going to apply for charges with the State Prosecutor Attorney's office in Clayton.

At the time of his arrest the then 24-year-old Schless was working at the Town and Country McDonalds.

Despite St. Louis County Prosecuting Bob McCulloch calling for tougher prosecution of drunk drivers a member of his staff refused to issue a DWI warrant against Schless despite Schless having a prior DWI. A felony warrant was issued for the drug possession.



County Prosecutor Bob McCulloch appears to be all talk or is not communicating well with his staff when he tells the press the how courts need to get tougher on drunk drivers and his staff refused to issue a warrant for DWI and driving on the wrong side of an Interstate Highway against Patrick Schless.

From Officer Fowle's report:

On 06/19/2014, St. Louis County Prosecutor James Maher issued a warrant against Patrick Schless for Felony Drug Possession. Prosecutor Maher advised me to forward all other charges with this case to the Town & Country Municipal Court.

Municipal summonses were issued to Schless for DWI (140057943), Wrong Way Driving (140057944) and Drug Paraphernalia (140057945). The summonses were delivered to Schless by Lt. Nelke to his home address on 6/26/14.

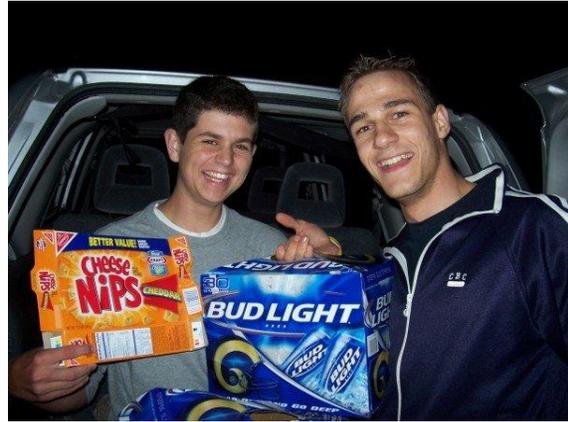
**OUTCOME:** If you read the bi-annual feature Drunks and Thieves you know that most DWI cases get reduced or placed on no-points, no-fine no-permanent record probation. That was not the case with Schless. For a change Town and Country prosecutor Brian Malone did not turn everything into a "Parking Violation" and Judge Dean Waldemer did not issue any probation sentences. However there's not even a weekend jail either. On July 9, 2015 Schless pled guilty to the DWI and Driving Wrong Way on a Divided Highway. He was fined \$500 for the DWI and \$100 for Wrong Way Driving. That is a \$100 for doing something that could have easily resulted in the death or serious injury of someone. He received a full 12-points on the DWI and the conviction is permanent.

Concerning the drug possession charge, on April 23, 2015 he pled guilty to a reduced charge drop from a felony to a misdemeanor before Judge Steven Goldman. He was sentenced to one year in the country jail, but was immediately placed on a 2-year Suspended Execution of Sentence Probation Term for 2-years.

Schless has had a serious connection with alcohol dating back to high school according to his facebook pages. You might think he would have deleted all these photos after his arrest and prior to sentencing. But he didn't. Apparently the photos featuring him and booze are too important to him.



Photos from his college days.



Patrick (Left) when he was 18 from his facebook photos.

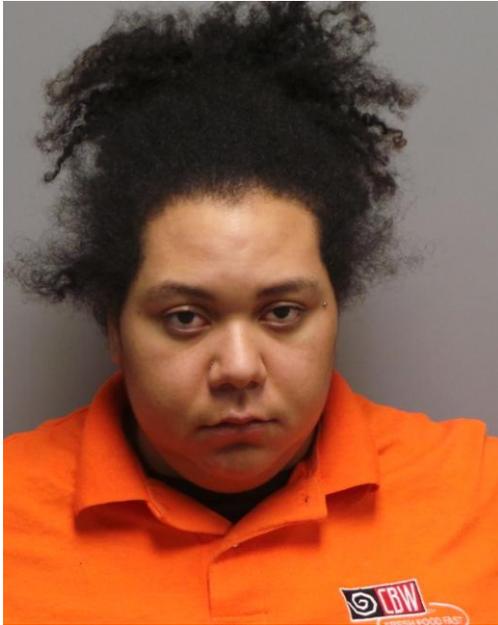
Photos from Schless' Facebook album titled "2007 CBC Prom."



On 11/07/15 Schless was cited by the St. Ann Police was speeding 11-15 MPH over the limit. Unless Schless has a hardship driving privilege his license should still be revoked on the points from the DWI and Wrong Way Conviction.

### UPDATES:

**SASHA TAYLOR, BACK TO JAIL AND OUT AGAIN:** We reported on Sasha Taylor in our Part II Drunks of Thieves Newsletter from December 2014. On March 20, 2014 Taylor was in a slow motion pursuit with the Chesterfield Police after an officer tried to pull her over for driving without headlights on. Taylor refused to stop until she had a chance to throw out all the marijuana cigarettes she had in the car. This was not the first time she had done this. She did the same thing in Bel Ridge when an officer there tried to pull her over.



Despite Taylor having done this before and the fact her actions resulted in three Chesterfield officers forcing her to the side of the road, the moving violations were reduced to "parking violations" and the drug possession charge was reduced ironically to "littering."

At the time of the Chesterfield case, Taylor had felony drug charges pending against her in St. Charles County from an April 10, 2013 arrest by St. Peters Police. In that case on July 18, 2014 she pled guilty to the felony drug charges. She was sentenced to 5-years in the Department of Corrections but then placed on probation with required drug testing.

Three months later Taylor has a Probation Violation charged filed against her.

Her lawyer of record was none other than Ronald Brockmeyer, then the municipal judge of Ferguson and a number of other North County towns. (Brockmeyer was later forced off the bench and lost jobs as municipal prosecutor. At the time he had hundreds of thousands of dollars in tax liens and judgments against him.)

On December 18, 2014 Taylor was sentenced to the five years in prison. Her report date to turn herself in is January 16, 2015. She turned herself in five hours late.

She was released from prison on May 29, 2015 and placed back on a five-year probation term.

She currently has traffic, drug and theft charges pending against her from other cases in 2014.

On September 3, 2015 a St. Charles County judge revoked Taylor's probation on the St. Peters Felony Drug Case and a warrant for her arrest was issued. She was arrested on the probation violation warrant on November 20. She is apparently spent Thanksgiving in the St. Charles County Jail with a probation violation hearing set for December 4.

**DRUNK DRIVER WITH TWO SMALL CHILDREN IN CAR PLACED ON PROBATION FOR CHESTERFIELD DWI ACCIDENT, PICKS UP A NEW DWI IN ST. CHARLES.**

In our first of two December 2014 reports we wrote about a drunk driver Donald F. Rafalowski who on November 30, 2103 crashed his pickup truck into a sign at the Taubman Outlet Malls. In the truck at the time were two small children.



When Chesterfield Police arrived Rafalowski said he did not know how the two small children got into the truck. City prosecutor Tim Engelmeyer reduced the Careless Driving charge to Illegal Parking, Rafalowski pled guilty to the DWI and was placed on a 2-year SIS "no-record and Mo-Fine" probation.

On April 14, 2015 Rafalowski was arrested for DWI by the Cottleville Police in St. Charles.

Despite being notified by the St. Charles Court of a new DWI arrest Judge Dennis Smith has not moved to suspend Rafalowski's 2-year probation term which expired on 11/30/2015.

**COMING SOON:** Look for 40 pages more of drunks and Thieves cases in two editions to be posted over the Christmas holidays.