

## DRUNKS AND THIEVES DECEMBER 2014 PART 1



**By John Hoffmann**

**December 22, 2014**

The evidence continues to pour in...The most dangerous men in Chesterfield continue to be city prosecutor Tim Englemeyer and Judge Rick "The Hippie...Let'm Loose" Brunk.

We reach this opinion because we review randomly selected Municipal Court cases and have found a consistent thread. It is almost impossible to convict anyone of DWI in Chesterfield. The offenses are effectively hidden to insurance companies and not on public driving record.

Not only does the work of Englemeyer and Brunk make the streets of Chesterfield more dangerous for you and me they also make driving more expensive. Because the drunk drivers they let off with "no-record" probation terms along with companion moving violation citations reduced to no-point "Illegal Parking" violations it means that the drunk drivers' insurance rates don't go up and you and I are underwriting their lower insurance rates by paying too much for car insurance.



Chesterfield Mayor Bob Nation knows there is a terrible conflict of interest with Englemeyer and Brunk. Both of them are also defense attorneys and represent drunk

drivers and expect the same great deals for their clients as they give in the Chesterfield Municipal Court. Ethically you should not be able to do both jobs. The Chesterfield City Council refuses to admit this and do something about it, like appoint a new prosecutor and judge. Englemeyer is also the Judge in Creve Coeur where it is just as hard to get convicted.

Mayor Bob Nation keeps telling me that Tim Englemeyer has an explanation and would talk to me about it. However that would be a waste of time. I have been involved in municipal court and state courts for 30-years. From 2001 to 2005 I was appearing in Maryland State Court five times a month as a witness.

With these cases I review taken at random over the years what has appeared is a clear pattern. There is no need to listen to Englemeyer. His record more than speaks for itself.

I have attended Brunk's court sessions that he basically makes a secret proceeding where the public has no idea what is going on. The same is true for Englemeyer in Creve Coeur.

Perfect examples are the cases involving Cardinal broadcaster Dan McLaughlin. In the first case McLaughlin was so drunk that numerous citizens were reporting his driving on EB I-64. When the police stopped him he offered them a bribe. He had urinated in his pants and refused to take a breath test. Under Brunk's law he was a perfect candidate for probation.

Englemeyer and Brunk refused to give McLaughlin a record and gave him a SIS "No-record and No-Points" probation. In less than a year after he was sentenced he was arrested for DWI again in Chesterfield. This time he had two accidents, the second occurring while he was trying to flee the scene of the first one. He was so drunk he could not figure out how to open the driver's door on his SUV or dial a phone at the police station. For the second time in 14 months he refused to take a breath test.

Englemeyer and Brunk again teamed up and made sure that McLaughlin's driver's license was not revoked for one year. Brunk did not revoke McLaughlin's first probation term. Then Englemeyer reduced McLaughlin's 12-point DWI to a 6-point DUI. McLaughlin pled guilty had had his license suspended for 30-days instead of revoked for a year.



The handling of this case alone should have been enough to get these guys removed from office. All it did was get them reappointed to new terms.

Here is the first of two parts of our every six month review of municipal court cases from Town and Country and Chesterfield:

### **CHESTERFIELD MAN'S THIRD DWI ARREST IS REDUCED TO A**

**MISDEMEANOR:** On New Years' Day night at 9:34 pm Town and Country Officer Scott Schlager clocked a Honda Ridgeline Pickup truck speeding 64 mph in 50 ph zone on SB 141 south of I-64. Officer Schlager watched as the driver severely weaved from the right shoulder to the left shoulder as he exited Hwy 141 onto Woods Mill Road.

The vehicle was stopped on Clayton Road at Woods Mill Road.



Mark Genet

The driver of the Honda was identified as Mark Genet 49-years-old, of 506 Richley Drive in Chesterfield.

Genet denied he had been drinking, despite having the strong smell on intoxicants on his breath, slurred speech and bloodshot eyes. Genet was put through a series of field sobriety tests which he failed. A portable breath unit test show he was intoxicated. He was arrested.

At the station an official breath test showed Genet's BAC level to be .17%, more than twice the legal limit of .08%. Officer Schlager also determined that Genet had been arrested twice before for DWI, the first time on 11/15/90 by the Creve Coeur Police and again on 03/28/2004 by the Town and Country Police. On 11/07/12 Genet pled guilty to Operating a Boat While Intoxicated after his arrest on June 10 by the Missouri Highway Patrol/Water Patrol unit.

Officer Schlager filed charges through the St. Louis County Prosecutor's Office obtaining warrant against Genet for Felony Persistent Offender DWI.



On June 3, 2014 the felony charge was dropped to a misdemeanor and Genet pled guilty before Judge Dennis Smith. Smith would not send Genet to a shock term of even one day in jail. He instead placed him of a two-year SES probation term and gave him a six month jail term if he violated his probation.

**DRUNK DRIVER LEAVES SCENE OF ACIDENT AT OUTLET MALL...HAS TWO SMALL CHILDREN IN VEHICLE AND REFUSES BREATH TEST...DWI AND CARELESS DRIVING ARREST RESULTS IN GUILTY PLEA AND ABSOLUTELY NO POINTS ON THE DRUNK'S LICENSE:**

On Saturday November 30, 2013 at 7:17pm Donald F. Rafalowski, Jr. was drunk, had two small children in his red Dodge pickup truck when he drove into a sign on the Taubman Outlet Mall's parking lot and then left the scene. Officer Chris Muench was dispatched the call and two other officers responded to assist.



Donald F. Rafalowski, Jr.

Rafalowski, of Wildwood, was found in his parked pickup truck on the east side of the parking lot. Officer Muench reported that also in the pickup truck were two small children.

Officer Muench wrote that Rafalowski appeared to be drunk. That his eyes were bloodshot, his breath had a strong odor of intoxicants, his speech was confused, antagonistic and slurred.

"I know, I know, I'm in a lot of trouble," Rafalowski told Officer Muench when he was first contacted.

Rafalowski said he had been parked where he was contacted by Officer Muench for over an hour. He said he had not been drinking in the parking lot. He said he had "a few beers" at a friend's house before coming to the outlet mall. He downgraded that statement later at the police station and said he had "two beers."

Concerning the small children in the truck, Rafalowski said they were not in the truck while he was driving and could not explain how they got into his truck.

Witnesses who saw the accident including one who contacted Rafalowski immediately after the accident told police the accident had just occurred.

At the police station Rafalowski refused to take a breath test. He took a field breath test on the parking lot that showed he was intoxicated after refusing to take any field sobriety tests.

Someone had been contacted and responded to Mall parking lot and picked up the children.

Rafalowski was charged with DWI and Careless Driving.

**QUESTIONS ON THE ARREST:** The first thing that immediately came to my mind...here was a 43-year-old male driving drunk or at least intoxicated enough to be charged with DWI and Careless Driving after being in an accident. There were two small children in his vehicle. Why wasn't he also booked for two counts of "Endangering the Welfare of a Child"?

Also this was at the start of the Christmas shopping season. According to the police report, officers locked Rafalowski's truck and left it on the parking lot. Gee that is

certainly a nice thing to do to the shopping center...arrest someone in a vehicle and then leave it on a parking lot instead of towing it.

**OUTCOME:** On March 7, 2014 Rafalowski's attorney made a jury demand sending the case to the St. Louis County Associate Circuit Court in Clayton. His attorney like most all other lawyers had no intention of having a jury trial. First of all, this means "no night court." However, Chesterfield Rick "Let'm Loose" Brunk is one of the easiest judges in the county and defends drunk drivers in his private practice as does Chesterfield city prosecutor Tim Englemeyer, so they are happy to give out the same deals in court that they ask for in other municipal courts.



On April 21, 2014 Rafalowski appeared before Judge Dennis Smith. Chesterfield prosecutor, Tim Englemeyer agreed to present a deal where Rafalowski was allowed to plead to the DWI and receive a "No Record SIS" probation term and reduce the Careless Driving Charge involving the accident to "Illegal Parking" and pay a \$400 fine.

Here is the case of a drunk driver, in an accident, with two small children in the vehicle, who lies to the police and refuses to take a breath test who is allowed a deal where he walks out of court with no points on his driver's license. This is a perfect example of CHESTERFIELD JUSTICE.

Rafalowski also appealed the suspension of the driver's license for refusing to take a breath test. That has been continued twice and now was set to be heard a fifth time on December 18. On December 20 the case file has not been updated.

### **SHOPLIFTER WITH A RECORD FOR BURGLARY NOT BOOKED BY**

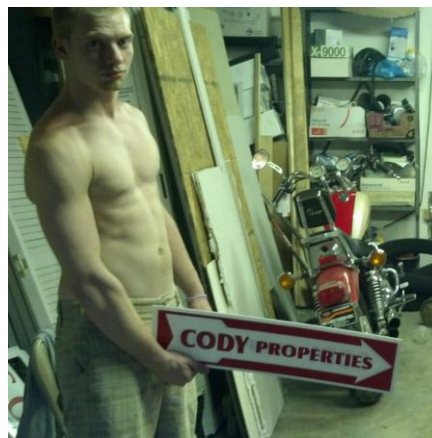
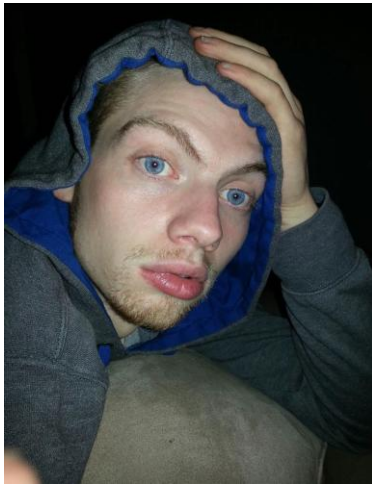
**CHESTERFIELD COPS:** In this case it wasn't so interesting as to what happened to cause a shoplifting arrest but what happened afterwards. One person teamed up with two others in an elaborate scheme to steal a \$99 set of headphones which were passed around, briefly hidden in a comforter and were eventually taken out of the store in a plastic Wal Mart bag that contained other items that had been purchased.

All this was witnessed on video by store security on March 6, 2013 at 2:50pm.

Jonathan C. Mason 20 of 218 W. Steins in far South St. Louis was detained by store security and the stolen headphones were recovered. The Chesterfield Police arrived

soon after the detention of Mason. His accomplice fled in a car driven by the third person a woman. At the direction of Chesterfield Officer Meyers, Mason called the woman and told her to bring the second suspect, Cody Duniphan, 20, of St. Charles back to the store. Duniphan did not like this idea and jumped out of the car and hid in the back of the IHOP restaurant on Chesterfield Airport Road. The woman told Mason what had happened and the police went and found Duniphan and arrested him.

Duniphan was taken to police headquarters and booked, but Mason was released on a citation at the store.



Facebook photos of Cody Duniphan of St, Charles.

Both suspects gave verbal confessions after being advised of their rights per the Miranda Ruling.

Here is the odd thing the cops never arrested Mason, never took him to the police station and never took his mug shot and fingerprints. Most police departments require theft suspects to be "booked and processed" with photos and prints taken. The reason for this is you always want to have up to date "identification" files. People who are shoplifting today often return to shoplift elsewhere in your community. They also often graduate to more serious crimes such as burglary and armed robbery. The prints and photos are also shared with other area police departments who might develop your suspect as a suspect in a crime in their town. Chesterfield did not do this with Mason.

At the time of his arrest Mason had been sentenced to 10 years in prison but was placed on probation for Manufacturing or Distributing a Controlled Substance after he pled guilty in 2011 in St. Charles from his arrest in 2009. He was placed on a 5-year

probation term which was revoked in July of 2014. In October the probation was continued with additional terms.

On August 13, 2012 Mason had been arrested in St. Charles for Resisting or Interfering with an Arrest. On January 9, 2013 he pled guilty and was sentenced to 30 days in the County Jail.

**OUTCOME:** Mason hired an attorney and the case was moved to St. Louis County Associate Circuit Court On March 6, 2014 Mason Pled Guilty to Sealing U/\$150 and was sentenced to 15 days in jail by judge Dennis Smith, who gave Mason credit for time served after he was arrested for Failing to Appear on the original charge.

13 days later Mason was arrested by the St. Louis County Police for Burglary 2nd Degree and Stealing Over \$500 in connection with a burglary that had occurred on October 13, 2013. On June 19, 2014 Mason pled guilty before Judge Steven Goldman, who sentenced him to 5 years in prison, stayed the sentence and ordered Mason to serve a 60-day shock sentence and then be on a 5-year probation term.

Also on March 18 Mason was arrested for Felony Drug Possession. He pled guilty on September 4, 2014 and was sentenced to 5 years in prison Jail, but was immediately placed on probation.

Cody Duniphan pled guilty to Stealing on April 14 in front of Chesterfield Judge Rick Brunk. He was placed on a no-record SIS 2-year probation and ordered to attend "Theft Offenders Program."

On the charge of Resisting Arrest by Fleeing, Chesterfield prosecutor Tim Englemeyer reduced the charge to "Littering." Duniphan pled guilty and was fined \$326.50.

It was interesting that on July 27, 2013 Duniphan was arrested Park Rangers for "trespassing" on the KATY Trail Park in St. Charles. A year and a day later he pled guilty in St. Charles Associate Circuit Court. He was given a 2-year probation term but whatever he was doing on the KATY Trail was bad enough that Judge Norman Steimel banned him from setting foot on the KATY Trail Park during his probation.

**CONVICTED NEVADA DRUNK DRIVER NOW ALSO A CONVICTED MISSOURI DRUNK DRIVER** On Saturday night/Sunday morning September 22, 1013 at 1:30 Lamar Hall of Las Vegas, Nevada was confused. He apparently wanted to go north from WB I-64 onto I-270, but missed the exit. To his misfortune Officer Scott Schlager of



the Town and Country Police was on patrol and noticed him making lane changes without signaling and then exit at Mason Road, make a left turn, drive across the overpass and then left to go back east on I-270 to the I-270 exit. Hall's left turn back onto I-64 was not from the left turn lane, but the straight lane.



Lamar Hall

Schlager stopped Hall in his 2014 Chevrolet on NB I-270. He found the usual telltale signs that Hall was drunk, bloodshot eyes, strong smell of intoxicants on his breath, confused and slurred speech, and a staggering walk.

Hall told Schlager at the time of the stop that he had only three glasses of wine. After failing the field sobriety tests, Hall was arrested. At the police station a BA test showed his blood alcohol level to be .17%, more than twice the legal limit.

After the BA test Hall's version of how much he had to drink changed from a "few glasses of wine" to "five beers and two glasses of wine."

A check of his Nevada driving record showed that Hall was arrested for DWI in Nevada on St. Patrick's Day 2009. The arrest resulted in a conviction.

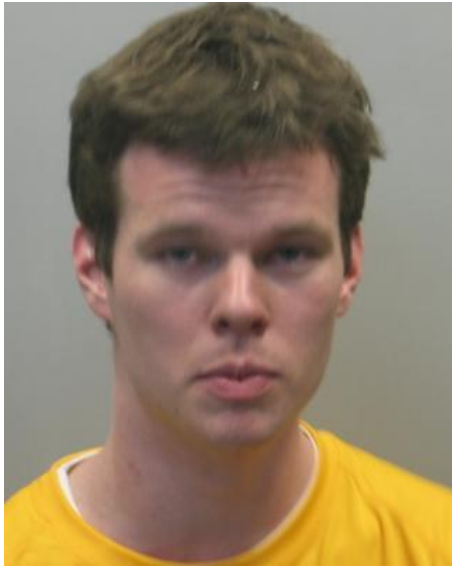
Hall was cited Improper Lanes Use, fail to Signal and DWI.

**OUTCOME:** Hall's St. Louis attorney moved the case to the St. Louis County Circuit Court where on July 3, 2014 Hall pled guilty to DWI in front of Judge Dennis Smith. Then something unusual happened. While the other two moving violations had been dismissed, Judge Smith actually found Hall guilty with an open public record of DWI. He placed him on a suspended execution of sentence rather than his usual suspended imposition of sentence (no-record) and Hall was placed on two years probation.

**23-YEAR-OLD HAVING PROBLEMS COUNTING AND WITH THE ALPHABET ARRESTED FOR DWI DRIVING AN OLD PERSON'S CAR:** If this wasn't suspicious

enough, a 23-year-old driving a 14-year-old Buick, the fact that he almost crashed into the wall on the I-64 overpass after he exited from I-64 onto Mason Road probably was.

Town and Country Officer McNutt reported that on Wednesday night/Thursday morning May 30, 2013 at 1:40am he had observed the driver of 1999 Buick Regal weaving on WB I-64 as he exited onto Mason Road. McNutt reported the driver turned left and made such a wide turn he almost struck the overpass wall. He went south on Mason Road to Mason Ridge Road where he turned right driving onto the shoulder. That was when McNutt stopped the car and identified the driver as 23-year-old Joseph Powers of Wynnhaven Lane in Ballwin.



Joseph Powers

McNutt reported that Powers appeared to be intoxicated despite claiming having had nothing to drink. Powers' breath had a strong smell of booze, his eyes were bloodshot, his speech was slurred and once out of the car he had trouble walking...for a 23-year-old who stated he had been playing in Slow-Pitch softball games five hours earlier.

During the field sobriety tests Officer McNutt asked Powers to recited the alphabet from the letter "J" to the letter "W" and to count backwards from 57-to-42 Here are the results cut and pasted from Officer's McNutt's report:

ALPHABET TEST (J-W)J...P,L,Q,R,S,L,Q,R,S,Q,R,O,W,Q,R,S. COUNTNG TEST (57-42) 57,57...39,40,39,39...29.

Powers, who kept calling Officer McNutt, "Officer McKnight," was arrested for DWI and Improper Lane Use. At the police station he refused to take a breath test, but did admit having drunk just "four beers" between 5pm and 9pm.

A record check showed that Powers had a prior alcohol/drug related action by the Drivers License section of the Department of Revenue, but McNutt could not find the actual arrest information.

We spent \$23 and found out from the Missouri Department of Revenue Driver's License Section after Powers was stopped for speeding 85mph in a 70 mph by the Missouri Highway Patrol on April 28, 2011 and marijuana was found in the car. The one-year drivers' license suspension began on December 16, 2011.

**OUTCOME:** Powers, who almost crashed into an Interstate Highway overpass wall, drove onto the shoulder of the road when turning to cut through on a residential street, was clearly drunk, refused to take a breath test, with a prior drug or alcohol license suspension left the courthouse in Clayton with no points on his driving record.

The Town and Country prosecutor Doug Malone reduced the Improper Lane Use citation to "Illegal Parking" with a \$450 fine, apparently without researching the possibility of another DWI arrest of Powers mentioned in Officer McNutt's report.



Brian Malone

On July 3, 2014 Powers pled guilty before St. Louis County Judge Dennis Smith, who gave Powers a "no-record" SIS probation for 2-years.



Judge Smith

**24-YEAR-OLD CHESTERFIELD WOMAN TWICE THE LEGAL LIMITS LEAVES COURT WITH NO POINTS:**

On Tuesday November 26, 2013, two days before Thanksgiving at 9:19 pm Officer Lantz of the Chesterfield Police observed an Infiniti SUV pull out of the McBride and Sons drive onto westbound Chesterfield Airport Road without the headlights on. The driver was weaving between lanes when Officer Lantz decided to pull the driver over.

The driver turned onto Chesterfield Commons and was now driving on the wrong side of the road when she pulled onto a parking lot and stopped.



Megan Roberts

The driver, 24-year-old Megan Roberts of Chesterfield told Officer Lantz that she thought her automatic headlights were on.

Roberts had exited her car and was having trouble standing still. She smelled of alcoholic beverages, her face was flushed, eyes were bloodshot, her speech was slurred and she was mumbling.

Officer Lantz skipped the question "Have you been drinking?" and went right to, "How much have you had to drink?"

Roberts' unresponsive reply was, "No."

He told her he was able to smell booze on her breath causing her to ask, "Are you asking me to turn over my rights or are asking me to be honest?" He replied that she should be honest. He asked the question again.

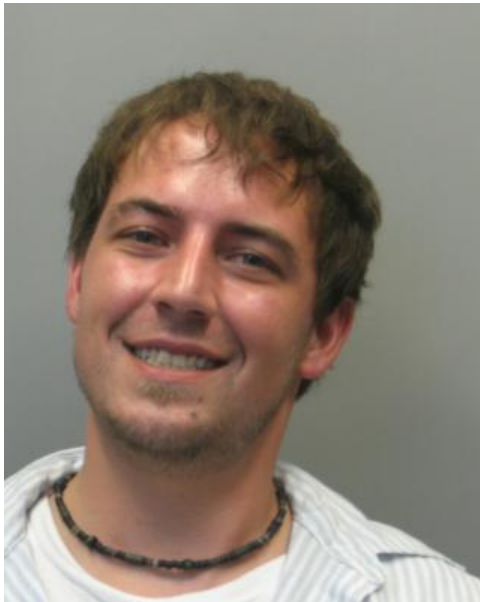
She replied by asking if he was recording her answers. He said yes. Then instead of verbally answering Lantz she nodded her head in the affirmative that she had been drinking.

She promptly failed the field sobriety tests and was arrested. At the police station after some delay she agreed to take a breath test. That test showed Roberts' BAC level to be .174%.

**OUTCOME:** Roberts pled guilty to the DWI but received a "no record" SIS probation term for two years. The No Headlights citation was amended to "Illegal Parking" and a fine of \$127. The Improper Lane Use citation was reduced to "Illegal Parking" with a fine of \$427. Once again the City of Chesterfield rakes in some money, but a dangerous driver is not identified and us good drivers continue to underwrite bad driver's insurance rates that don't go up thanks to people like prosecutor Tim Englemeyer and Judge Rick Brunk.

**Irony:** The police report states the following: "Robert's vehicle was left at the scene due to her vehicle being properly parked in a marked parking spot." But despite this she was twice found guilty of "Illegal Parking" and fined \$544. This is Englemeyer and Brunk justice at its best.

**PRIOR DRUNK DRIVER PICKS UP THIRD DWI...CHESTERFIELD PROSECUTOR DEFENDS HIM...GETS COUNTY PROSECUTOR AND JUDGE TO ALLOW FELONY TO TURN INTO A MISDEMEANOR:** Michael Madras of Webster Groves had earlier in the evening of July 16, 2012 attended a Cardinal baseball game. Now at 2:30am he was driving his black 2007 Honda Civic north on I-270 weaving between the lanes and attracting the attention of Town and Country Police Officer Scott Schlager.



Michael Madras

This was not good for Madras since he had two prior DWI convictions, in Town and Country in 2007 and in Webster Groves in 2009.

Madras who had friends in his car, was stopped on NB I-270 north of Clayton Road.

Officer Schlager found that Madras' breath reeked of the smell of intoxicants, that his eyes were bloodshot and he was unsure on his feet swaying for side to side.

When Madras got out of the car he told Schlager that he had two beers earlier. A few minutes that changed to four beers.

Officer Schlager asked him to perform standard field sobriety tests. Madras refused saying the field tests were "designed for him to fail."

To make matters worse for Madras his drivers' license was still revoked due to past DWI convictions.

He was arrested. The cops gave his friends a ride to one of their houses.

At the police station Madras also refused to take a breath test that was surely designed for him to fail also. Madras was released pending warrant application and later a felony warrant was issued for Persistent DWI.

**OUTCOME:** Madras hired both a judge and a prosecutor to represent him. He hired Chesterfield prosecutor and Creve Coeur judge Tim Englemeyer to defend him.

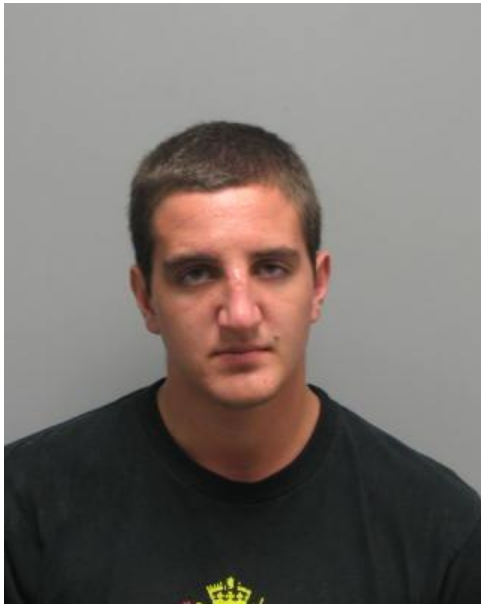
Englemeyer in several of his jobs is suppose to make the streets and neighborhoods safe by prosecuting and handing out effective sentences to drunks drivers. But he creates a terrible conflict of interest that the elected officials in Chesterfield continue to ignore. In his private law practice he continues to advertise for drunk drivers and tries to get them great deals with reduced charges and no points on their licenses. Unfortunately he then does the same as a prosecutor and a judge. This is a clear conflict of interest and should not be tolerated.

In this case the felony charge against Madras was dropped to a misdemeanor. Judge Dennis Smith who has a history of playing along with these deals sentenced Madras to six months in jail, but stayed the sentence. The two prior DWI apparently had no affect on Madras, who now does even have to serve a "7-day shock" jail sentence.

Those charges of Lane Weaving and Driving on a Revoke License were handled just the way Englemeyer handles them as a prosecutor and a judge. They were reduced to illegal parking.

**LOST 20-YEAR-OLD DRUNK "DEEP IN BALLWIN" STOPPED IN CHESTERFIELD ADMITS TO DRINKING AND SMOKING MARIJUANA:**

Ryan Matthew Loftus was observed by Officers Hernandez and Layton just 11 minutes after midnight on July 29, 2013 driving his 2001 Toyota Camry East bound on Clayton Road approaching the western Chesterfield City limit from the City of Ballwin. The moving radar unit in the patrol car showed that the Camry was travelling 59 mph in the 40 mph zone.



Ryan Loftus

After the Toyota passed the police car, Officer Hernandez made a U-Turn and tried to stop the car. Loftus would not pull over for over 1/2 of a mile, before finally pulling onto the parking lot of Lester's Bar and Grill at 14810 Clayton Road.

According to the police report Loftus said he saw the police car behind him trying to pull him over.

"Yeah, I saw you. I'm on my way home and I'm lost," said Loftus. However Loftus lived in the immediate area in Ballwin just south where he was stopped.

Loftus appeared to be drunk and admitted he had been at a bar drinking. Keep in mind he was only 20-years-old at the time. At first he said he had only 2 or 3 beers. He later changed that to 3 beers.

He badly failed a series of field sobriety tests and was arrested for DWI. A pat down search prior to being placed in the police revealed a glass pipe and a bag of marijuana. Inside his car officers found open and unopened bottles of whiskey.

People will often say the most incriminating things, especially when they are drunk while not being asked any questions by the officers on the ride to the police station. When I was a police captain we did not have tape systems in the cars. They were illegal in Maryland. I required officers to keep a legal pad and write down these utterances while at stoplights or when they reached the station. Now many departments have in-car video and audio systems. Loftus was not the exception to the rule. He babbled.

"I knew I shouldn't have had drunk this much and drive," he said. He added he thought he could make it home because "he wasn't that drunk."

Loftus agreed to take a breath test and the results showed his BAC level was .172%.

In an interview after the breath test he also admitted to smoking marijuana two hours before his arrest. When asked if he knew where he was by a Chesterfield Police Officer in the Chesterfield Police Department/City Hall building located on Chesterfield Parkway, Loftus said he was in the City of Manchester.

He was cited for DWI, Speeding, Fail to Yield to an Emg. Vehicle, Fail to Wear a Seat Belt, Possession of Marijuana, Possession of Drug Paraphernalia and Minor in Possession of Alcohol.

**OUTCOME:** Loftus originally moved the case to the St. Louis County Circuit Court. But the case was moved back to Chesterfield Municipal Court. This usually happens when the defendant or his lawyer miss a court date.

On August 18, 2014 or 13 months after he was arrested Loftus pled guilty to all but one of the charges. The Failure to Yield to an Emergency Vehicle was dismissed by prosecutor Tim Englemeyer.

The DWI , Minor in Possession, Possession of Marijuana charges were all reduced to 2-year "no-record" SIS probation terms. The speeding charge resulted in a \$225 fine and 2 points on his license. The No Seatbelt charge was a \$10 fine and the Possession of Drug Paraphernalia was reduced by Englemeyer to "Littering with a \$225.50 fine.

Who represented Loftus? None other than Charles H. Billings the Des Peres Municipal Judge.

It appears that perhaps Loftus was placed on probation for DWI while he had another DWI, Possession of Marijuana, Possession of Drug Paraphernalia, Fail to Drive on the



right side of Road and No Insurance arrest by the Missouri Highway Patrol on April 16, 2014 pending in Crawford County Missouri.

On 09/24/14 the Crawford County case was disposed with a guilty plea. Loftus was given more SIS "no-record" 2-year probation terms.

Ryan Matthew Loftus arrested in the Crawford County case had just turned 21, born in 1993 and gave a Springfield, Missouri address. Loftus had been attending college at Missouri State University in Springfield, Missouri.

It has become a pattern for the Chesterfield prosecutor and judge to agree to DWI "no-record" probation terms to people who actually had prior DWI convictions and/or pending DWI cases.

**WILDWOOD MAN WITH A PRIOR DWI GETS PROBATION WITH ANOTHER DWI PENDING AT THE TIME OF THE PLEA:** John I. Izuchukwu of lives on Pine Canyon Ct, just inside Wildwood from Chesterfield off Wild Horse Creek Road, was arrested for DWI in 2004 and refused to take a breath test and had his Driver's License suspended according to court records.

On September 1, 2013 Town and Country Officer Fowle observed Izuchukwu driving his 1997 black Mercedes Benz on westbound I-64 near Mason Road. Officer Fowle observed the Mercedes weave onto the shoulder from the slow lane and then weave into the next lane on the left from Mason Road to the Maryville exit.



John I. Izuchukwu

The Mercedes then exited onto the North Forty Outer Road at the Maryville exit, slowing to just 27 mph at 2:45am.

Instead of exiting from the North Outer 40 Road the driver tried to reenter WB I-64 and began weaving again, at which time Officer Fowle stopped him.

Izuchukwu, 58-years-old stated he had only one glass of wine. He appeared to be drunk and failed field sobriety tests. He refused to take a field breath test. He was arrested and transported to the Town and Country Police Department, where he again refused to take a breath test.

He was cited for DWI, No Insurance, Failure to remain in a Single Lane, Failure to Stay on Pavement and Failure to Signal a Lane change or Exit.

According to court files we were able to access Izuchukwu was arrested in 2014 for DWI and he again refused to take a breath test as he filed an appeal to his License Revocation on July 3, 2014.

**OUTCOME:** Town and Country prosecutor Brian Malone accepted a deal where Izuchukwu would plead guilty to the DWI and be placed on a "no-record" SIS probation term and all other charges would be dropped. Judge Mary Bruntrager Schroeder went along with this recommendation despite a prior DWI and Refusal to Take a Breath test and a pending DWI and Refusal to Take a Breath test.



Judge Mary Bruntrager Schroeder has gotten a reputation as being one of the easier judges in St. Louis County. In September of 2014 she released a man being held for pointing a loaded handgun at County Police officers in Dellwood during the protests and looting over the Michael Brown shooting in Ferguson. The suspect had been shot by police and was charged with assault on a police officer with bond of \$200,000. Schroeder released him on no bond.

In the probation of Izuchukwu he has apparently violated his probation and there is a Probation Revocation hearing scheduled for January 9, 2015.

**APPARENTLY TOO MANY WINES AT RANCH CIRCLE 7:** On Wednesday December 5, 2012 at about 11:30pm Officer Fowle of the Town and Country Police observed a Grey 2006 Lexus going Eastbound on I-64/40 approaching I-270 weaving between the center lane and the left lane. He reported that the operator the Lexus then would

change speeds from 72 to 60 MPH. He stopped the car east of Ballas Road and contacted the driver, Terri Ryan, 48, of Marion, Illinois.



Terri Ryan

Ryan had been drinking with the usual signs of bloodshot eyes, strong odor of booze on the breath, confused speech. She was also driving barefoot. Once out of the car her balance was unsure and she started using profanity.

She failed the field sobriety tests and a portable breath test. She was arrested and her car was towed.

At the police station she stated that she had been at the Circle 7 Ranch Restaurant with a boyfriend drinking wine and eating friend cheese.

She refused to take the "official" breath test at the station. She was issued citations for Improper Lane Use, Fail to Signal and DWI.

**OUTCOME:** Ryan's attorney moved the case to the Circuit Court, where she would be rewarded for driving drunk and refusing to take a breath test, by leaving the court house on August 14 with no points on her driving record.

Ryan pled guilty to the DWI and received a "no-points" 2-year SIS probation. On the two moving violations she was issued...they were reduced by Town and Country prosecutor Brian Malone to "no-points" illegal parking" charges which she pled guilty to and was fined \$150 on each charge.



The judge who allowed this was Mary Bruntrager Schroeder.

## UPDATES:

**Faith Raymer**, who grew up in the Boot Heel, then lived in St. Charles and recently in California before coming back to town and now apparently back to California. It was Raymer who pronounced in the form of a question during booking to Town and Country Officer Fowle, "Fuck me, I'm I was coolest person you have ever arrested?" She was arrested for DWI on February 7, 2013. The case was moved to St. Louis County Circuit Court where she was given a "no-record" SIS probation. However she did not pay the fines for the charge of Improper Lane use. Her probation was revoked once but reinstated after she paid the fine.

She is currently facing another Probation Revocation Charge after being cited in St. Charles for Representing the License of Another as Hers after giving someone else's license to a cop. She failed to appear in court in St. Charles and there is a warrant out for her arrest.

The probation revocation case was set to be heard on December 17 and has not been updated.



Raymer did not take her probation for DWI too seriously as she kept posting photos on social media of her drinking and making suggestive poses in bars.

**CHESTERFIELD'S NUMBER ONE BAD BOY LOSES AGAINST DOR:** The License revocation of Theodore Federer, Jr. who has lead a charmed life if arrested in Chesterfield, having felony strong arm robbery cases reduce to shoplifting and then pleading guilty to "Littering" lost one in connection with his DWI arrest in Ellisville. It

was in Ellisville where the prosecutor and judge gave Federer a probation term despite the fact that he was on probation for DWI in Camden County by the Lake of the Ozarks. That probation was revoked after the Ellisville conviction and T-Fed served a short jail sentence.

Then in March T-Fed was arrested for felony Drug Possession after a waitress at Harpo's accidentally got between Federer and another person who were fighting. The waitress was knocked out. The drug charge was issued in August after lab results came back.



On October 30, 2014 over a year after his Ellisville DWI arrest he had the hearing on driver's license suspension for failing to take a breath test. On 12/10/14 a judge signed off on a hearing officer's ruling that Federer's license will be revoked.

T-Fed's Felony drug case is now scheduled for January 2015.

08/20/14 Arrest of Felony Drug Possession from 3/30/14 incident Warrant \$15,000 bond  
04/07/14 Probation violation Camden County Pled Guilty 6 months County Jail...served 7-days shock term and placed on two years probation.  
03/30/14 Arrest Assault and Drug Possession No Charges filed on Assault case  
10/29/13 Aid a Person Under 21 To Enter Gambling Boat Mo Gaming Comm Enforcement Section  
08/09/13 Probation Violation and Revocation Camden County  
05/18/13 Driving While Intoxicated Ellisville PD  
05/18/13 Driving on Revoked License Ellisville PD  
05/18/13 Speeding Ellisville PD  
05/18/13 Failure to Show Proof of Insurance Ellisville PD  
05/18/13 Open Container of Alcohol w/driving Ellisville PD  
05/18/13 Possession of Marijuana Ellisville PD  
11-02-12 State of Missouri files Forfeiture Papers St. Louis County Prosecutor  
10-23-12 2001 Audi and \$8,975 in cash seized St. Louis County Police  
as profits of illegal activity  
08-25-12 Attempt to Purchase Liquor by a Minor Missouri Highway Patrol

Montgomery County Missouri

- 03-29-12 Stealing Chesterfield PD
- 03-29-12 Destruction of Property Chesterfield PD
- 02-13-12 Minor in Possession of Liquor Chesterfield PD
- 02-13-12 Give false Information to Police Chesterfield PD
- 01-11-12 Stealing Chesterfield PD
- 01-11-12 Minor in Possession of Liquor Chesterfield PD
- 09-03-11 Attempt to Purchase Liq by Minor Camden County Sheriff's Office
- 09-03-11 Driving While Intoxicated Camden County Sheriff's Office
- 07-04-11 Minor Intoxicated Missouri Water Patrol
- 09-03-10 Speeding (20 Over PG 5 days jail) Livingston Co Sheriff's Office
- 10-08-08 Impeding Traffic Town and Country PD

**CHESTERFIELD RESIDENT HAS HIS FELONY DWI CASE CONTINUED OVER 21 MONTHS.** Roy **GAROZZO** of Chesterfield was arrested by the County County Police for Felony DWI (persistent offender) on March 23, 2013. He was later indicted by a Grand Jury. Since that time his case has been continued nine times. It appears as if his attorney is hoping the arresting officer resigns, gets fired, dies or moves out of state. His next court dates is January 15, 2015.



Garozzo and the cars he drives.



**MANSLAUGHTER DWI CASE FROM OCTOBER 2013 ACCIDENT CONTINUES THROUGH COURT SYSTEM AT A SNAILS' PACE:**

Back on October 10, 2013 Jacob Crocker, a student at Logan Chiropractic/University in Chesterfield was driving WB on I-64 at Mason Road when he drove into the back of a tractor trailer. His passenger David Hanger, another Logan student was in a coma due to injuries in the accident and died on November 10. Crocker's BAC was .16. A felony Manslaughter charge was issued on December 31 and Crocker, of Lebanon, Missouri was arrested on the warrant on January 7, 2014. He was later indicted by a Grand Jury on February 5. Since then there have been six pretrial hearings. The next one is scheduled for January 22, 2015 54 weeks after his arrest.



**PART 2 OF THE DECEMBER EDITION OF DWIs AND THIEVES WILL BE POSTED IN ABOUT 7 DAYS.**