

## **DRUNKS AND THIEVES 2021 PART 1 February 24, 2021**

By John Hoffmann

**LANE WEAVING DRUNK DRIVER, REFUSES BREATH TEST, LEAVES COURTROOM WITH NO POINTS ON HIS LICENSE:** On Tuesday night February 11, 2020 at about 11:09 Town and Country Police Cpl. Daniel Duddleston was on patrol driving west bound on I-64 before Mason Road when he noticed a red Toyota pickup truck weaving from the center lane to the right lane. Making sure this was not an isolated incident Cpt. Duddleston followed the pickup truck further and observed that the driver continued to weave, first into and out of two lanes and then three lanes.



Cpl. Duddleston

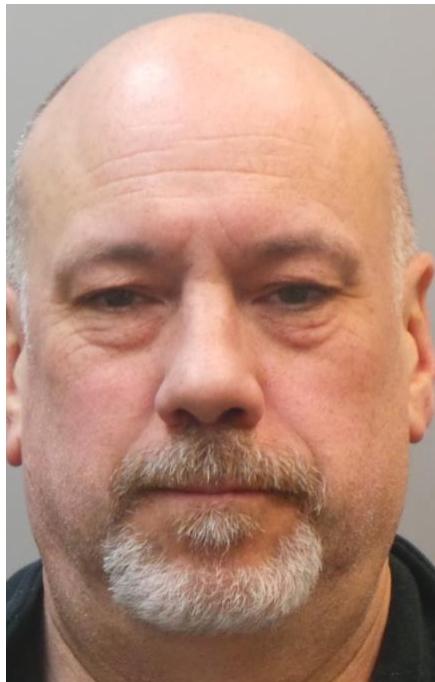
The pickup truck was stopped on I-64 at Timberlake Parkway and the driver Roger A, Collins, 53 of Richmond Heights was contacted. Cpl. Duddleston immediately could tell that Collins was drunk. This is from his report:

<b>OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate box(es) and add notes)</b>					
BREATH	ODOR OF ALCOHOLIC BEVERAGE:	<input type="checkbox"/> FAINT	<input type="checkbox"/> MODERATE	<input checked="" type="checkbox"/> STRONG	
	ODOR OF MARIJUANA OR CHEMICAL:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO		
EYES PUPILS	<input type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input type="checkbox"/> STARING	<input type="checkbox"/> ARTIFICIAL
	<input type="checkbox"/> CONSTRICTED	<input type="checkbox"/> SLOW REACTION TO LIGHT		<input type="checkbox"/> DILATED	
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN	<input type="checkbox"/> SWAYING	<input type="checkbox"/> STAGGERING	<input type="checkbox"/> STUMBLING	<input type="checkbox"/> FALLING
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input type="checkbox"/> CONFUSED	<input type="checkbox"/> INCOHERENT	<input type="checkbox"/> STUTTERING	<input type="checkbox"/> MUMBLED

Before even getting Collins out of the truck Cpl. Duddleston gave Collins two sobriety tests. One was counting and the other was reciting the alphabet. Collins failed both.

Collins admitted drinking saying he had a "couple of drinks (Vodkas)". After he was arrested he said he just had one drink consisting of 2ozs of vodka.

Collins failed field sobriety tests out of the truck including balance and walking. He denied being drunk but refused to prove it by taking a field breath test. He was arrested and at the police station he again claimed not to be drunk and again refused to prove it by taking an official breath test.



Roger A. Collins



Collins' eyes

**OUTCOME:** ON September 1, 2020 Town and Country Prosecutor Keith Cheung and Judge Andrea Niehoff teamed up to give someone mailing in a stop sign violation ticket a worse driving record than a drunk driver who refused to take breath tests.



Keith Cheung



Andrea Niehoff

Cheung amended the lane weaving charge to illegal parking with a \$191 fine. Then it was Niehoff's turn. Collins with his attorney by his side pled guilty to DWI. Niehoff placed him on a 2-year SIS, No-Points, No-Fine, No Permanent Public Record probation. So much for the public's safety and much more for a defense attorney's income.

## **ILLINOIS CORRECTIONS OFFICER GETS POINTS ON HIS LICENSE FOR WEAVING, BUT NONE FOR DWI OR NIGHTIME DRIVING WITHOUT HEADLIGHTS**

**ON:** On Saturday night/Sunday morning February 16, 2020 Town and Country Police Officer Lauren Wolfe was westbound I-64 when she observed a Nissan SUV in front of her without lights on and lane weaving. You can understand the lane weaving since it is hard to see those lane markings in the dark with no headlights.



Officer Wolfe

Once stopped, just like in our last story the driver, Vincent Diveley, 49, and Illinois Corrections Command Officer from Springfield, Illinois gave clear signs of being drunk as soon as he rolled down his window. This is from the report.

BREATH	ODOR OF ALCOHOLIC BEVERAGE: <input type="checkbox"/> FAINT <input type="checkbox"/> MODERATE <input checked="" type="checkbox"/> STRONG	
	ODOR OF MARIJUANA OR CHEMICAL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
EYES PUPILS	<input type="checkbox"/> WATERY <input checked="" type="checkbox"/> BLOODSHOT <input checked="" type="checkbox"/> GLASSY <input checked="" type="checkbox"/> STARING <input type="checkbox"/> ARTIFICIAL E <input type="checkbox"/> CONSTRICTED <input type="checkbox"/> SLOW REACTION TO LIGHT <input type="checkbox"/> DILATED	
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN <input type="checkbox"/> SWAYING <input type="checkbox"/> STAGGERING <input type="checkbox"/> STUMBLING <input type="checkbox"/> FALLING	
SPEECH	<input checked="" type="checkbox"/> SLURRED <input type="checkbox"/> CONFUSED <input type="checkbox"/> INCOHERENT <input type="checkbox"/> STUTTERING <input type="checkbox"/> MUMBLED	
CLOTHING AND FOOTWEAR	DESCRIBE: MOCCASINS, JEANS, BUTTON UP SHIRT	SOILED BY: N/A
UNUSUAL ACTIONS	<input type="checkbox"/> PROFANITY <input type="checkbox"/> HICCUPS <input checked="" type="checkbox"/> BELCHING <input type="checkbox"/> VOMITING <input type="checkbox"/> FIGHTING	

Officer Wolfe had Diveley exited his car and walk to the rear of the SUV. She noticed that his balance was unsure as he walked. He refused to do any field sobriety tests or take a field breath test. He was arrested for DWI, No Headlights at Night, Improper Lane Use.

At the police station in an interview he admitted drinking beer saying he started at 7pm at Top Golf in Chesterfield and later at a Hot Shots bar. He refused to answer if he thought he was drunk. He also refused to take an official Breath Test. This is from Officer Wolfe's report:

refused to participate in a chemical breath test. Dively readily answered interview questions and again stated he had been drinking beer at Top Golf and Hot Shots. Dively stated he had started drinking at 1900 hours and stopped approximately 30 minutes before he was pulled over. Dively stated he had approximately 5 or 6 beers. He refused to answer if he was under the influence of an alcoholic beverage.

Dively was shown some professional courtesy. He was released on citations and given a ride back to the hotel he was staying at in Chesterfield.



Lt. Dively



Drunk driver Dively



Dively's eyes.

**OUTCOME:** If anyone ought to know better than to drive drunk it is Lt. Dively, who is making \$162,000 a year from the Illinois DOC. With a lawyer by his side Dively pled guilty to Improper Lane Use and was fined \$191.50. Town and Country Prosecutor Keith Cheung turned the NO Headlights at Night charge into a non-traffic Parking Violation with a \$66 fine. Dively pled guilty to DWI and Judge Niehoff put him on a 2-year "No-Points", "No-Fine" and "No Permanent Public Record" probation.

#### **VERY DRUNK DRIVER DIES OF DRUG OVERDOSE THREE MONTHS AFTER**

**PLEADING GUILTY:** On the day after Thanksgiving, Friday November 23, 2018 just before 11 PM the West County Police Dispatch Center put out a call for citizen reports of a driver weaving in and out of the far right lane on WB I-64 at I-270 in a white vehicle with no taillights lit.

Town and Country Officer Dan Duddleston (now Cpl. Duddleston) was on WB I-64 at Hwy 141 when the call was dispatched. He decided to stay put and wait. It didn't take

long for the white Dodge Nitro to arrive, still with no taillights and still with the driver weaving in and out of the right lane.

Officer Duddleston got the driver stopped on WB I-64 at Timberlake Parkway. Things then got interesting as the driver started backing up toward Duddleston and his patrol car. This is from his report:

On Friday, November 23, 2018, at 2257 hours, I was on the right shoulder of westbound Interstate 64, at Missouri 141, when dispatch relayed information concerning a careless and imprudent driver traveling on westbound Interstate 64 near Ballas Road. According to the details of the call, a white vehicle was traveling in the far right lane with no lights illuminated and consistently weaving. Several minutes later, I observed a white Dodge Nitro, traveling in the far right lane with no tail lights illuminated and weaving into the adjacent lane. I activated my emergency equipment and accelerated to overtake the Dodge. The Dodge initially came to a stop on the right shoulder of westbound Interstate 64 at Timberlake Manor Parkway. I exited my vehicle and noticed the reverse lights on the Dodge were illuminated. The Dodge began backing up towards my vehicle. I reentered my vehicle and put it in reverse to avoid a collision. The Dodge continued backing up for approximately nineteen seconds before finally coming to a stop. The Dodge was bearing Missouri registration number [REDACTED]



Cpl. Duddleston Officer Duddleton at SLU Hospital 2/1/21 getting his COVID shot.

Upon contacting the driver, Amanda McMiller, 28, of St. Charles, Officer Duddleston immediately thought McMiller might be drunk. This is from his report:

[REDACTED] YES NO		OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate box(es) and add)				
BREATH		ODOR OF ALCOHOLIC BEVERAGE: <input type="checkbox"/> FAINT <input type="checkbox"/> MODERATE <input checked="" type="checkbox"/> STRONG	ODOR OF MARIJUANA OR CHEMICAL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
EYES	<input type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT <input checked="" type="checkbox"/> GLASSY	<input checked="" type="checkbox"/> STARING	<input type="checkbox"/> ARTIFICIAL		
PUPILS	<input type="checkbox"/> CONSTRICTED	<input type="checkbox"/> SLOW REACTION TO LIGHT	<input type="checkbox"/> DILATED			
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN	<input type="checkbox"/> SWAYING <input type="checkbox"/> STAGGERING <input type="checkbox"/> STUMBLING <input type="checkbox"/> FALLING				
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input type="checkbox"/> CONFUSED <input type="checkbox"/> INCOHERENT <input type="checkbox"/> STUTTERING <input type="checkbox"/> MUMBLED				

McMiller declined to do walk and balance tests citing an existing medical condition. However she agreed to take a field breath test. YIKES! That test showed her blood alcohol content at .247% of 3-taimes over the legal limit.

**PRELIMINARY BREATH TEST (PBT)  
POSITIVE FOR ALCOHOL?**

YES  NO  REFUSED

**RESULT .247 %**

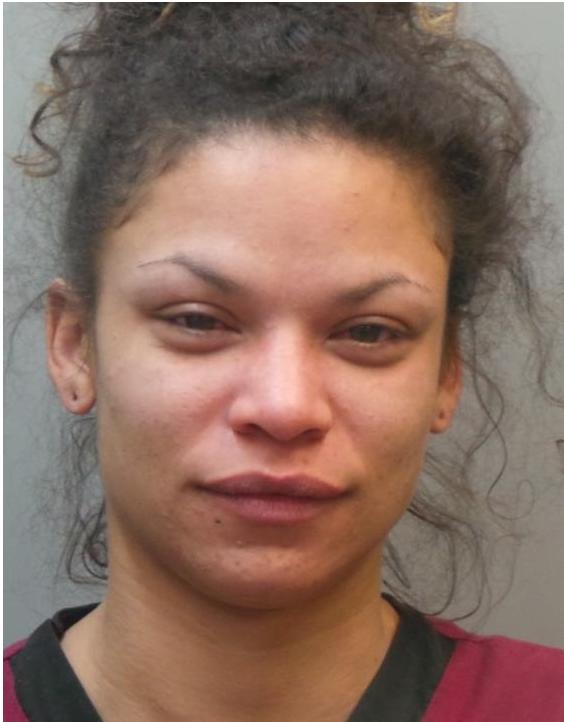
She was arrested, handcuffed and placed in the backseat of the police car she tied to back into.

**SURPRISE!** Meanwhile, Duddleston returned to her Dodge Nitro to do a search prior to it being towed. He found her drivers' license in the front seat area. In the back he found her 8-year-old son, asleep. Her son was transported to the police station by another officer and a relative responded to took charge of the child.

At the police McMiller agreed to an interview and stated she only had a beer and two shot hours before being stopped. But admitted that she thought she was intoxicated.

She agreed to take an official breath test. The results showed her BAC level was dropping, but she was now 40 minutes after being stopped at a .206 BAC. still really drunk the night after Thanksgiving.

<b>BLOOD ALCOHOL CONCENTRATION BY WEIGHT</b>
<b>.206</b>



Amanda McMiller



McMiller's eyes

**OUTCOME:** On 01/20/20 McMiller, with her lawyer standing by her in Town and Country Municipal Court pled guilty to all charges. 10 months later only the Improper Lane Use was a public record. She had been fined \$225 on that charge by Town and Country Judge Andrea Niehoff.

She was given only six-month SIS (No-Permanent Public record, No Fine, No Points) probation terms for DWI and Endangering a Child. 3-times over the legal limit with a kid in the car and almost backing into a police car...and now no public record of her actions. The judge must have been sure McMiller would never do anything harmful while on probation and would be totally responsible.

But the sentence really didn't make any difference.

Three months after pleading guilty in January, McMiller was dead on April 20, 2020. Here is the cause of death from the St. Louis County Medical Examiner's Office:

Died 04/20/20 Fentanyl and cocaine intoxication  
Accident per Med Examiner

## **DRUNK DRIVING DRAG RACER HIRES ATTORNEY TRAVIS NOBEL AND SUDDENLY HE ONLY IS A GUY WHO FAILED TO SIGNAL A LANE CHANGE:**

On Friday night into Saturday morning December 29, 2018 at 12:22 AM Town and Country Sgt. Jordan Fowle had turned around at I-64 and Spoede Road to go west on I-64 when he observed two cars drag racing at a high speed. The week between Christmas and New Year's see lots of returning relatives in the area and drag racing cars are a clear and serious danger to them and everyone else.

Sgt. Fowle activated his moving radar unit and clocked the cars doing 87 MPH. As the cars approached I-64 and I-270 one car exited and the other, a Toyota Camry continued west on I-64. Sgt. Fowle stayed on the Camry. The driver was lane changing during the race and continued to do so failing to signal a change each time. The driver exited at Mason Road

The driver was identified as Omar Saezcarrasquillo (who we will refer to as Omar). He admitted drag racing and thought he was doing 90MPH. He was also drunk. He was arrested for DWI and Fail to Signal.



Sgt. Jordan Fowle

His license apparently was suspended for refusing a breath test or an excessive BAC level. We don't know which one.

Omar hired Travis Noble, a lawyer that specializes in DWI cases.

Many municipal judges and prosecutors are afraid of Nobel. He will subpoena the officer in charge of testing breath testing instruments monthly and demand to see their state licenses. He will cross examine officers and demand documents showing they are licensed police officers, have licenses to give breath tests, see documents they passed tests at classes on operation of breath testing instruments, etc., etc., etc.

Rather than put up with Noble some city courts will dismiss DWIs against Noble's clients if they plead guilty to another much lesser charge.

That happened in this case, and other cases prior to this one and since this once.

Omar pled guilty to Failure to Signal a Lane Change and paid a \$529 fine. Normally if a DWI is amended and there is a guilty plea you can get a copy of the police report. This case was not amended. The DWI was DISMISSED. Yes, the DWI charge against a drunk, lane changing speeding drag racer was DISMISSED.

A COPY OF THE Failure to Signal citation had the DWI report number written on it.

Uniform Citation		Violator's Copy		
ORI NO. MO 0857260 TOWN AND COUNTRY POLICE STATE OF MISSOURI DIVISION OF 21st CIRCUIT COURT				
		<b>160260008</b>		
STATE OF MISSOURI				
IN THE CIRCUIT COURT OF <b>TOWN AND COUNTRY MUNICIPAL</b>		DIVISION <b>1</b>		
COURT ADDRESS (Street, City, Zip) <b>1011 MUNICIPAL CENTER DRIVE DR, TOWN AND COUNTRY, MO, 63131</b>				
COURT DATE <b>02/07/2019</b>	COURT TIME <b>6:00 PM</b>	COURT PHONE NO. <b>(314) 432-1420</b>		
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 <b>HWY CLASS</b> UPON / AT OR NEAR [LOCATION] <b>12/29/2018 0022 HRS IS</b> <b>WB 15 64 BE CRD MASON RD</b>				
WITHIN CITY / COUNTY AND STATE AFORESAID,				
NAME (LAST, FIRST, MIDDLE) <b>SAEZCARRASQUILLO, OMAR</b>				
STREET ADDRESS <b>1 BEAU JARDIN DR 2</b>				
CITY <b>ST LOUIS</b>	STATE <b>MO</b>	ZIP CODE <b>63146</b>		
DATE OF BIRTH <b>11/01/1983</b>	RACE <b>W</b>	SEX <b>M</b> HEIGHT <b>508</b> WEIGHT <b>200</b>		
DRIVER'S LIC. NO. <b>[REDACTED]</b> CDL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO STATE <b>MO</b>				
EMPLOYER				
ADDRESS (Street, City, State, Zip)				
DID UNLAWFULLY <input type="checkbox"/> OPERATE/DRIVE <input type="checkbox"/> PARK		<input type="checkbox"/> C.M.V. <input type="checkbox"/> WITH HAZ MAT		
V <b>2018</b>	YEAR <b>TOYOTA</b>	MODEL <b>CAMRY</b>	STYLE <b>4D</b>	COLOR <b>BLU</b>
REGISTERED WEIGHT <b>L C</b>	NUMBER <b>[REDACTED]</b>	STATE <b>MO</b>	YEAR <b>2020</b>	
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE. THE FACTS SUPPORTING THIS BELIEF ARE AS FOLLOWS:				
<b>FAILURE TO SIGNAL LANE CHANGE</b> <b>- 90111050</b>				
<input type="checkbox"/> Subject taken into custody. (Complete "For issuance of a Warrant" section on reverse side) <b>OCIA# 18-001891</b>				
DRIVING	POSTED SPEED UNIT <b>MPH</b>	DETECTION METHOD <input type="checkbox"/> STATIONARY RADAR <input type="checkbox"/> WATCH (AIR) <input type="checkbox"/> PACE <input type="checkbox"/> LASER <input type="checkbox"/> MOVING RADAR <input type="checkbox"/> WATCH (GROUND) <input type="checkbox"/> OTHER		
IN VIOLATION OF: STATUTE/ORDINANCE - CHARGE CODE Ref. No. <b>325.060</b> <b>ORDIN.0-192N20005405.0</b>				
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 .174 OCN <input type="checkbox"/> SPECIAL ENFORCEMENT ZONE <input type="checkbox"/> SCHOOL ZONE <input type="checkbox"/> CONSTRUCTION ZONE <input type="checkbox"/> COMPLIANCE				
OFFICER <b>/s/ SGT. Fowle</b>	BADGE <b>00074</b>	THP / ZONE DATE <b>12/29/2018</b>		
ON INFORMATION UNDERSWORN PROSECUTOR CHARGES THE DEFENDANT AND INFORMS THE COURT THAT ABOVE FACTS ARE TRUE AND PUNISHABLE BY: See 18.160				
<input type="checkbox"/> 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 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
SIGNATURE X				

**"Section of every side)**  
**OCIA# 18-001891**

Clearly the Failure to Signal Lane Changes were part of the probable cause statement in the DWI arrest report. This website's attorney agreed with me that the report should be open to the public. However, I had to pay him to try and obtain a copy of the police report. He was only partially successfully. This is what Town and Country City Attorney Steve Garrett sent in place of a normal 9 page report (4-page DWI and 5 page offense report).

TOWN AND COUNTRY POLICE DEPARTMENT

DATE: 12/29/2018

COMPLAINT #:18-01891

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I first observed the suspect vehicle traveling westbound I-64 passing Spoede Road in the fast lane at a high rate of speed. The vehicle appeared to be racing another vehicle in the slow lane, as both cars were traveling at or about the same speed. I obtained a radar speed of one of the vehicles near Ballas Road at 87 mph in a posted 60 mph speed zone. I could not verify which vehicle speed I had captured on radar. The suspect vehicle slowed near Highway 270 as the other speeding vehicle exited to Highway 270. The suspect vehicle failed to signal as it changed from lane #3 to lane #4. The vehicle failed to signal from lane #4 to lane #5. The vehicle exited Mason Road, but failed to signal as it turned south on Mason Road. The vehicle failed to stay in its lane and traveled wide right of the inside turn lane. The vehicle failed to signal its turn as it turned onto the eastbound I-64 entrance ramp. Again the vehicle failed to stay in its lane as it traveled over the right side of the turn lane. I activated the emergency lights to my fully marked police patrol car (TCPD 8308) and the vehicle stopped on the eastbound entrance ramp shoulder east of Mason Road.

I introduced myself as a Town & Country Police Officer to the suspect driver and asked if he knew why I had stopped his vehicle. The driver was unaware of the reasons for the traffic stop. I requested the driver to produce his driver's license and proof of insurance. The driver was identified as Omar Saezcarrasquillo (W-M [REDACTED]) by his Missouri Driver's License. [REDACTED]

[REDACTED] Saezcarrasquillo admitted to racing with the other vehicle and stated he was traveling at 90 mph. Saezcarrasquillo apologized for not signaling his lane changes or turns. [REDACTED]

[REDACTED]

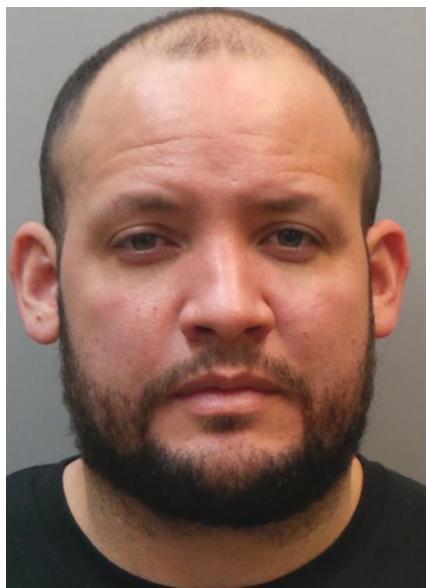
[REDACTED]

Saezcarrasquillo was [REDACTED] issued summonses for [REDACTED] Failed to Signal a Lane Change. [REDACTED] issued under the 02/07/2019 court date. [REDACTED]

You can clearly see where "DWI," was blacked out in the last paragraph.



Travis Noble



Omar Saezcarrazillo



Omar's eyes

Does this guy look drunk to you? He does to me.

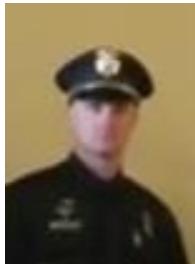
**SPEEDING DRUNK DRIVER REFUSES TO TAKE BREATH TESTS, BUT KEEPS INCREASING THE NUMBER OF BEERS HE HAD:** Just before midnight on May 15, 2020 during the partial COVID-19 pandemic St. Louis County lockdown, Michael J. Montgomery, 41, of Bella Villa was clocked doing 82 MPH on SB I-270 near Clayton Road by Town and Country Police Cpl. Steve Doll.

The Buick Regal was stopped on I-270 near the south city limits on the shoulder. Cpl. Doll went to the passenger side of the car away from any passing traffic to contact the driver, Montgomery. Despite speaking across the front seat and out the passenger

window Montgomery's breath reeked of booze. Doll also noticed that Montgomery's speech was slurred and his eyes were blood shot.

When told he was going 82 MPH in a 60 MPH zone, Montgomery used that old "I was just following traffic" excuse. However, with the stay at home order in connection with the pandemic there wasn't really any traffic to follow.

When asked how much he had to drink, Montgomery replied, "Not much" Cpl. Doll asked him to define "Not much." Montgomery replied, "Two or three." Doll then asked, "What is it two or three?" Montgomery said "Three." (This would later go up.)



Cpl. Doll

Cpl. Doll got an assist officer to respond and then got Montgomery out of the car. When getting out of his car Montgomery used the car for balance which caused Cpt. Doll to ask again how much he had to drink. This caused Cpl. Doll to ask for the third time how much Montgomery had to drink. "Prolly (sic) three or four," was the response adding he was drinking Bud Select.

This is from the police report:

OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate box(es) and add)				
BREATH	ODOR OF ALCOHOLIC BEVERAGE: <input type="checkbox"/> FAINT <input type="checkbox"/> MODERATE <input checked="" type="checkbox"/> STRONG ODOR OF MARIJUANA OR CHEMICAL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
EYES	<input type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input type="checkbox"/> STARING
PUPILS	<input type="checkbox"/> CONSTRICTED	<input type="checkbox"/> SLOW REACTION TO LIGHT	<input type="checkbox"/> DILATED	<input type="checkbox"/> ARTIFICIAL
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN	<input checked="" type="checkbox"/> SWAYING	<input type="checkbox"/> STAGGERING	<input type="checkbox"/> STUMBLING
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input type="checkbox"/> CONFUSED	<input type="checkbox"/> INCOHERENT	<input type="checkbox"/> STUTTERING
				<input type="checkbox"/> MUMBLED

Montgomery failed the field sobriety tests and then refused to take a field breath test. He was arrested for DWI and taken to the T&C Police Station. There he refused to take an official Breath Test.

In an interview at the police station Montgomery said he had been drinking beer at his girlfriends from 7:30 to 11:30.

Montgomery was released on summonses to a sober person at 1:45AM.



Michael J. Montgomery



Montgomery's eyes

**OUTCOME:** Montgomery was clearly drunk and speeding. With an attorney by his side he pled guilty to both. He was fined \$316 for speeding. For DWI he was placed on a 2-year SIS "No Permanent Record", "No Fine" and "No Points" probation.

**FIRST HE WAS TRYING TO GET BUDDY UNDER CONTROL AT THE BAR NEXT  
HE WAS REFUSING TO TAKE BREATH TEST IN TOWN AND COUNTRY.**

**DESIGNATED DRIVER ARRESTED FOR DWI.** On Saturday night into Sunday morning on 02/09/20 Officer Dustin York observed the driver of a tan Buick Le Sabre weaving into the fat right lane. Of course this is better than weaving to the right and then left, but it is still an indicator of a drunk driver.

Officer York stopped the driver on WB I-64 at Mason Road. He contacted the driver, Nathaniel K. Mueller, 23, of Ballwin. Five other males, who all had been drinking were in the car.



Officer Dustin York

The high level of the odor of booze on the breath forced York to have Mueller step from the car and talk to him. Then York determined that Mueller had broken the number-one rule of Designated Drivers..."Don't have any drinks."

This is from Officer York's report:

I could determine the alcohol odor was coming from his passengers and not him. Mueller complied. At the rear of his vehicle, I asked Mueller where he was coming from. Mueller explained they were coming from "The Wheel House" bar, downtown. I asked Mueller where he was headed. He stated he was going to drop his friends off at there homes and they all lived in the Chesterfield area. As I spoke to Mueller I observed an odor about his breath that smelled like an intoxicating beverage. I again asked Mueller if he had been drinking. Mueller stated he had a "Tall Boy Budweiser" at approximately 9:30 PM.

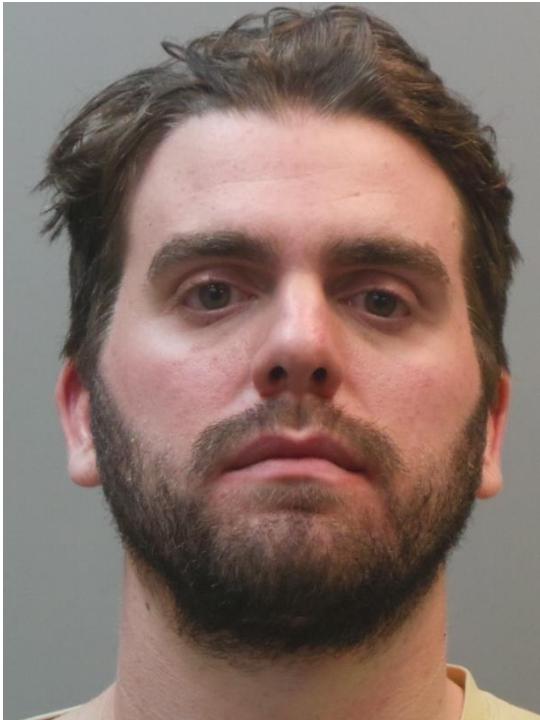
(I'm not sure how you "**observe the odor of alcohol**" on someone's breath but apparently Officer York could and his supervisor who signed off on the report can)

Mueller who claimed in a post-arrest interview that he did not consider himself intoxicated, but in the same interviewed double his beer intake from one Tall Boy Budweiser to two. He also refused to take a field breath test or an official breath test at the station to prove his statement that he was not intoxicated.

Mueller did poorly on part of his field sobriety tests resulting in his arrest.

Here is Mueller's record:

07/05/20	Speeding	pending	Chesterfield PD
02/24/20	Imp Lane Use	\$191 fine	Town & Country PD
02/24/20	DWI PG	2-year SIS probation	Town & Country PD
10/15/19	Moving Vio reduced to Parking Vio	\$191 fine	Bel Ridge PD
09/02/16	Moving Violation reduced to Parking Violation	\$193	Ellisville PD
02/26/15	Littering	\$50 fine	Ellisville PD



Nathaniel Mueller



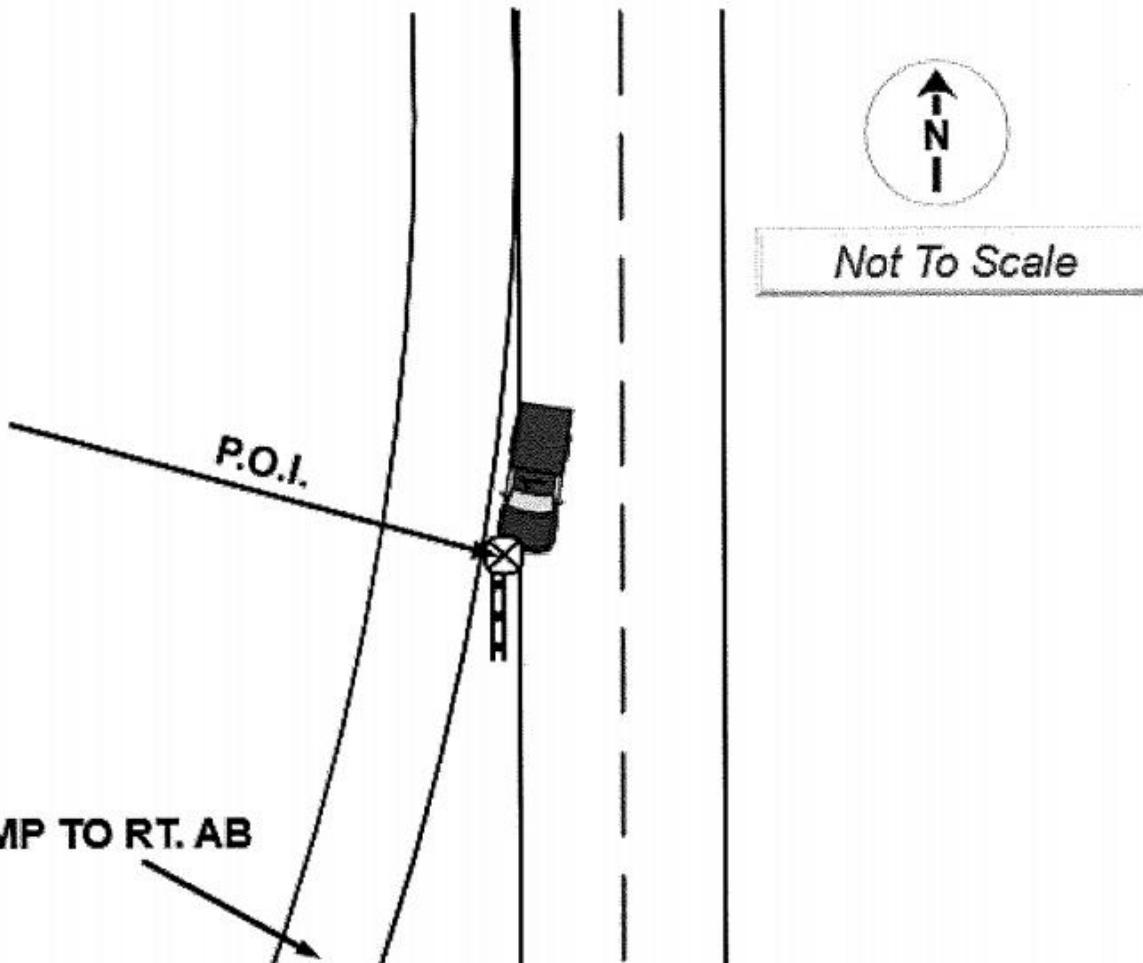
Mueller's eyes

**OUTCOME:** On July 31, 2020 Mueller was represented by a Chesterfield lawyer. He pled guilty to DWI and Judge Andrea Niehoff placed him on a 2-year SIS "No Fine" "No Permanent Record" and "No Points" probation. He also pled guilty to Improper Lane Use and was fined \$191 dollars and got 2-points on his driving record.

**DRUNK DRIVER HITS GUARD RAIL IN EVENING 9-DAYS BEFORE CHRISTMAS, REFUSES TO TAKEN BREATH TEST AND LEAVES COURT ROOM WITH NO POINTS AND NO MOVING VIOLATION ON HIS RECORD:** Town and Country Officer Dustin York on December 16, 2019 at 7:55PM was dispatched to a one vehicle crash with a pickup truck into a MoDOT guardrail.

On arrival Officer York found the pickup truck into the endcap of a MoDOT guardrail on Hwy 141 near Ladue Road. The vehicle was disabled. Behind the wheel of the vehicle was Peter Michael Cunningham, 55, of Coliseum Drive in Chesterfield, MO.

## SB MO-141



VEHICLE DAMAGE (Mark all damaged areas)																				
<input type="checkbox"/> None / No Dam																				
INITIAL IMPACT NO:		2	3	4	5	6														
<input type="checkbox"/> NA 1		7	18	Undercarriage																
		19	Windshield																	
		20	Burned																	
		21	Towed Unit																	
<table border="1"><tr><td>1</td><td>15</td><td>16</td><td>17</td><td>8</td><td></td><td></td></tr><tr><td>14</td><td>13</td><td>12</td><td>11</td><td>10</td><td>9</td><td></td></tr></table>							1	15	16	17	8			14	13	12	11	10	9	
1	15	16	17	8																
14	13	12	11	10	9															

DRIVER #1 STATED HE WAS TRAVELING SOUTHBOUND ON MO-141, NORTH OF LADUE ROAD. DRIVER #1 STATED HE WAS TRAVELING IN LANE #2. DRIVER #1 STATED HIS VEHICLE SLID AND LEFT THE ROADWAY RIGHT. DRIVER #1 STATED THE FRONT PASSENGER SIDE OF HIS VEHICLE THEN STRUCK THE GUARDRAIL END CAP.

NO INJURIES WERE REPORTED AT THE SCENE.

VEHICLE #1 WAS TOWED DUE TO DAMAGE.

Cunningham seemed to York to have been partaking in an excessive amount of holiday spirits. This is from his police report:

This is from his report:

BREATH	ODOR OF ALCOHOLIC BEVERAGE: <input type="checkbox"/> FAINT <input type="checkbox"/> MODERATE <input checked="" type="checkbox"/> STRONG ODOR OF MARIJUANA OR CHEMICAL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
EYES PUPILS	<input checked="" type="checkbox"/> WATERY <input checked="" type="checkbox"/> BLOODSHOT <input checked="" type="checkbox"/> GLASSY <input checked="" type="checkbox"/> STARING <input type="checkbox"/> ARTIFICIAL E <input type="checkbox"/> CONSTRICTED <input type="checkbox"/> SLOW REACTION TO LIGHT <input type="checkbox"/> DILATED
BALANCE AND WALKING	<input type="checkbox"/> UNCERTAIN <input checked="" type="checkbox"/> SWAYING <input type="checkbox"/> STAGGERING <input type="checkbox"/> STUMBLING <input type="checkbox"/> FALLING
SPEECH	<input checked="" type="checkbox"/> SLURRED <input type="checkbox"/> CONFUSED <input type="checkbox"/> INCOHERENT <input type="checkbox"/> STUTTERING <input type="checkbox"/> MUMBLED

Cunningham stated he had one drink after work. This would change in a few minutes to two "Tall Glasses of Vodka and Squirt."

Outside of the Ford pickup truck Cunningham showed balance problems simply walking to the rear of the truck.

He failed the field sobriety test involving following an object with his eyes. He refused to do any walk or one leg balance tests. From the report:

<b>Physical State</b>	
Emotions	ANGRY
Emotions Comments	WAS COOPERATIVE AT FIRST THEN BECAME UNCOOPERATIVE DURING FIELD SOBRIETY TESTS.

He was arrested for DWI, Improper Lane Use, Expired License Plates and No Auto Insurance.

At the station Cunningham refused to take a breath test and refused to be interviewed. He was released on citations to a sober driver.

There was NO MUG SHOT available of Cunningham.

**OUTCOME:** On October 19, 2020 Cunningham pled guilty to DWI. Despite refusing a breath test, crashing a vehicle into State property and disabling his vehicle, Cunningham (represented by a Clayton lawyer) was placed on a 2-year SIS "No Fine" "No Points" and "No permanent record" probation. The Improper Lane Use was reduced to a \$191.50 Parking Ticket. The other two charges were dropped.

**109 MPH GETS 20-YEAR-OLD KIRKWOOD WOMAN A \$466 FINE:** Traffic was light on Monday April 20, 2020 even on I-64 at 1:52 in the afternoon due to a "Stay at Home" Order in St. Louis County due to the COVID-19 pandemic. But still imagine your fright driving west on I-64 at Mason Road and suddenly being passed by a Subaru SUV doing 109 MPH.

Town and Country Police Cpl. Daniel Duddleston clock the vehicle at 109 MPH and managed to stopped the driver, 20-year-old Catherine O'Leary of Kirkwood, MO (Why would you name your kid after the woman who started The Great Chicago Fire?)

STATE OF MISSOURI DIVISION OF 21st CIRCUIT COURT		<b>190419577</b>		
STATE OF MISSOURI		DIVISION		
IN THE CIRCUIT COURT OF TOWN AND COUNTRY MUNICIPAL		1		
COURT ADDRESS (Street, City, Zip)				
1011 MUNICIPAL CENTER DRIVE DR, TOWN AND COUNTRY, MO, 63131				
COURT DATE	COURT TIME <input type="checkbox"/> AM	COURT PHONE NO.		
06/18/2020	6:00 <input checked="" type="checkbox"/> 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)	
04/20/2020	1352 HRS	IS	WB IS 64 BE CRD MASON RD	
WITHIN CITY / COUNTY AND STATE AFORESAID,				
NAME (LAST, FIRST, MIDDLE)				
O'LEARY, CATHERINE, ERIN				
STREET ADDRESS				
1 [REDACTED] SCARLET BEND CT				
CITY		STATE	ZIP CODE	
ST LOUIS		MO	63122	
DATE OF BIRTH	RACE	SEX	HEIGHT	WEIGHT
07/18/1999	W	F	505	130
DRIVER'S LIC. NO.	CDL: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		STATE MO	
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		
VEHICLE	YEAR	MAKE	MODEL	STYLE COLOR
	2018	SUBARU	CROSSTREK	4D BLK
REGISTERED WEIGHT	LIC	NUMBER	STATE	YEAR
			MO	2020
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE. THE FACTS SUPPORTING THIS BELIEF ARE AS FOLLOWS:				
<b>SPEEDING 46-50 MPH OVER</b> <b>LN1 FA - 90084990</b>				
<input type="checkbox"/> Subject taken into custody. (Complete "For Issuance of a Warrant" section on reverse side.)				
DRIVING	POSTED SPEED LIMIT	DETECTION METHOD		
109 MPH	60 MPH	<input type="checkbox"/> STATIONARY RADAR <input type="checkbox"/> WATCH (AIR) <input type="checkbox"/> PACE <input type="checkbox"/> LASER <input checked="" type="checkbox"/> MOVING RADAR <input type="checkbox"/> WATCH (GROUND) <input type="checkbox"/> OTHER		
IN VIOLATION OF: STATUTE/ORDINANCE - CHARGE CODE				
<input type="checkbox"/> RSMo. <b>320.010</b> <input checked="" type="checkbox"/> ORD.		<b>ORDIN.0-325N20005499.0</b>		
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, <input type="checkbox"/> SPECIAL ENFORCEMENT ZONE <input type="checkbox"/> SCHOOL ZONE <input type="checkbox"/> CONSTRUCTION ZONE <input type="checkbox"/> COMPLIANCE		OCN		
OFFICER		BADGE	TRP / ZONE	DATE
/s/ CPL. Duddleston		00139		04/20/2020

**OUTCOME:** Even with a lawyer from a Traffic Law Center, when O'Leary pled guilty on July 14, 2020 she was hit with a \$466.50 fine plus points.

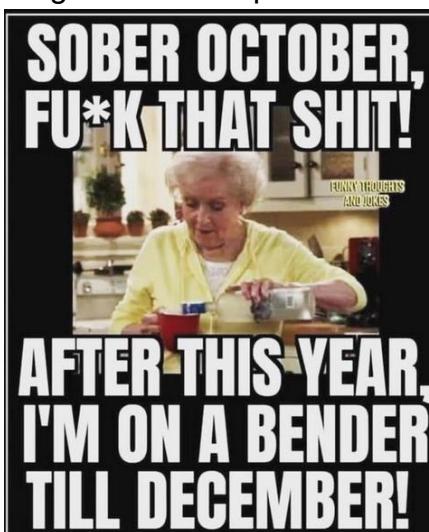
We found that a number of the people caught doing over 100 MPH at the start of the pandemic with light traffic conditions, a surprising number had not prior citations. O'Leary fell into that group.

**HARPO'S AND THEN THE POLICE HAVE TO DEAL WITH A HIGHLY DRUNK CUSTOMER WHO WAS OVER SERVED BOOZE THEN WANTED TO FIGHT EVERYONE UNDER THE ROOF:** Yes, Harpo's strikes again. This is the bar that regularly serves intoxicated customers and puts drunk drivers on the street. In this case, on Monday January 21, 2019 at 9:56PM the guy, Robert Broyles, 26, of St. Charles would not be driving as the manager snatched his car keys off the bar and told him to call Uber. That did not happen.

Below are all from Harpo's Facebook indicating they encourage people to come and get drunk, that they will break the law and serve intoxicated persons.



Below are facebook posts by the management of Harpo's.





Harpo's Chesterfield

November 22, 2019 · ②

...

Welcome back students! 🍂 Happy Fall Break! 🍂 Your to do list is short:

Eat Turkey, Get Drunk & Go to Harpo's! 🎉 Let the fun begin! 🎉

#fallbreak #thanksgiving #thanksgivingbreak #harposchesterfield

#harposstl #drinkspecials #skanksgiving



**What am I  
getting for  
Christmas?**

**Drunk. I'm  
getting fucking  
drunk.**

Broyles forced the staff to call the cops when he kept trying to fight other customers.

This is from the police report with the Harpo's employee's name blacked out.

S ████████. S ████████ advised at 2100 hours on 01/21/2019 Broyles began arguing with other patrons of the establishment loudly and causing a disturbance for the patrons. S ████████ then advised she told Broyles he would need to close out his tab and call an Uber due to his level of intoxication. S ████████ then stated Broyles continued to become more and more belligerent and continued to insist he was going to drive himself home. S ████████ stated she then took Broyles' keys from the bar so he would be unable to drive away from the bar in his intoxicated state. S ████████ she observed Broyles had not yet called an uber so she then again told Broyles he would need to leave. S ████████ then advised that Broyles then attempted to fight a patron of the bar but he fell over as he stood up.

On the arrival of the police Broyles' attitude changed. He no longer wanted to fight other bar patrons, He now wanted to fight the cops. More from the police report:

At this time Officer Thompson DSN 285 responded to the scene. I then advised Broyles he would need to leave the business and get himself a ride home from Uber. Broyles then took an aggressive stance while being contacted and did not make any attempt to move towards the door to exit the business. Broyles was then asked again to leave the business again or he would have to be forcibly removed from the business. Broyles continued to be increasingly belligerent and verbally combative and took an aggressive stance to officers on-scene. At that time Broyles was placed into the escort position by myself and PO Thompson DSN 285 in order to remove Broyles from the business. Shortly before approaching the door to exit the establishment, Broyles due to his intoxicated state stumbled, tripped and fell to the ground. Myself and Officer Thompson followed Broyles to the ground to ensure he was uninjured from the fall.

Calling Uber was no longer an option. Broyles was arrested for Peace Disturbance (trying to fight customers) and Trespassing (refusing to leave after several requests by employees) and given a ride in a police car.

Broyles' desire to fight had not diminished at the police station. He now wanted to fight the officers.

More from the police report:

Upon my arrival to the station Broyles began to become increasingly belligerent, and combative advising " I will beat your ass as soon as I get out of here",and " If you didn't have the badge on I would kick your ass." Throughout the entire booking process Broyles continued to make threatening comments and became increasingly belligerent toward all officers. Broyles was then booked and placed into cell #5.



Robert Edward Broyles, III



Broyles' eyes

Broyles arrests and citations:

08/23/19	DWI, Careless & Impudent Driving, No Auto Ins.	MO Hwy Patrol
01/21/19	Peace Disturbance, Trespassing	Chesterfield PD
08/20/10	DWI, Poss of Drug Paraphernalia	Guilty SES Prob U of MO Col Police

**CHESTERFIELD OUTCOME:** Broyles hired a local lawyer, Lenny Kagan of Clayton. That guaranteed a reduction of charges from criminal offenses to non-criminal code-violations, because local lawyers making money comes way before public safety with Chesterfield prosecutor Tim Engelmeyer and judge Rick Brunk.

Despite the fact the Broyles was arrested for DWI by the Highway Patrol seven months after his Chesterfield arrest the Peace Disutrbance charge was dropped to a Health Code Violation with a \$293 fine. The Trespassing charge stood and Broyles pled guilty and was fined another \$293.