

DRUNKS AND THIEVES 2021 PART 6 (this one is all Town & Country drunks)

August 10, 2021

By John Hoffmann

MODOT WORKER FINDS A VERY DRUNK DRIVER SLUMPED OVER THE WHEEL AT MIDNIGHT ON I-64 AT I-270. On Monday night into Tuesday June 2, 2020 just after midnight MoDOT Emergency Response worker Jesse Billingsley found the driver of a 2012 Acura slumped over the steering wheel as the car was on the shoulder of WB I-64 and I-270. Billingsley called for a police response and stayed behind the Acura.

Town and Country Officer Geoffrey Rowland responded. He found the car's engine was running and the headlights were on. Officer Rowland began knocking on the window to wake the driver. It did not work.

He found the front passenger door was unlocked. Upon opening the door he immediately noticed the strong smell of booze coming from the passed out driver, later identified as James R. Chevalier, 50, of Fenton. Here is how Officer Rowland described Chevalier's overall condition:

OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate boxes) and add any notes	
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 <input type="checkbox"/> CONSTRICTED <input type="checkbox"/> SLOW REACTION TO LIGHT <input type="checkbox"/> DILATED
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN <input checked="" type="checkbox"/> SWAYING <input checked="" type="checkbox"/> STAGGERING <input checked="" type="checkbox"/> STUMBLING <input type="checkbox"/> FALLING
SPEECH	<input checked="" type="checkbox"/> SLURRED <input checked="" type="checkbox"/> CONFUSED <input type="checkbox"/> INCOHERENT <input type="checkbox"/> STUTTERING <input checked="" type="checkbox"/> MUMBLING
CLOTHING AND FOOTWEAR	DESCRIBE: BLUE POLO, KHAKI SHORTS, BLUE/WHITE NIKE SOILED BY:
UNUSUAL ACTIONS	<input type="checkbox"/> PROFANITY <input type="checkbox"/> HICCUPS <input type="checkbox"/> BELCHING <input type="checkbox"/> VOMITING <input type="checkbox"/> FIGHTING
ATTITUDE	DESCRIBE: CONFUSED, STARING

When Rowland would ask Chevalier a question he would often respond by saying "Yes Sir" even it was not responsive to the question. At first Chevalier said he thought he was in Maryland Heights, MO. Later at the police station he said he thought he was in Fenton.

When Officer Rowland had Chevalier get out of the car to do field sobriety tests, he found that Chevalier was so drunk that he had to hold onto to the side of the car to keep from falling.

He was arrested for DWI. At the police station he refused to take a breath test.

In an interviewed he admitted that he thought he was drunk. He said he had been drinking beer for five hours.

INTERVIEW — RECORD PERSON'S RESPONSES			
WHAT TIME IS IT NOW? 130	WHAT IS THE DATE? JUNE 1ST	WHAT CITY (COUNTY) ARE YOU IN NOW? ST LOUIS COUNTY, FENTON	
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? TRUMANS PLACE WEST IN FENTON			
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	TIME STARTED 5PM	TIME STOPPED 10PM
HOW MUCH? ONE BEER AN HOUR	WHERE? TRUMANS PLACE WEST	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	



James Robert Chevalier



Chevalier's eyes

OUTCOME: Chevalier had no prior DWI arrests. On September 3, 2020 Chevalier with a lawyer present pled guilty to DWI. Despite being passed out behind the wheel, falling down drunk once on his feet and refusing to take a breath test, Judge Niehoff placed Chevalier on a 2-year SIS “No-fine, No-Points, No-Permanent Record” probation term.

ANOTHER DRUNK DRIVER LEAVES THE COURTROOM WITH NO POINTS AND NO FINE FOR DWI. Jennifer R. Cherry, 39, of Fenton had been drinking American Honey whiskey and lemonade at a friend’s house in Chesterfield. She was driving her grey Toyota east on I-64 on Saturday May 2, 2020 at 11:21 pm when Town and Country

Officer Eric Diaz first noticed her unsafe driving. Diaz, a former Highway Patrol State Trooper knows how to spot drunk drivers.



Officer Diaz

Cherry was weaving back and forth repeatedly between two lanes. When she was not weaving, her car was straddling two lanes. Officer Diaz followed her from Mason Road east and stopped her as she exited onto SB I-270.

Upon contacting Cherry Officer Diaz immediately smelled booze on her breath. However, she denied having anything to drink. This is from his 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 checked="" type="checkbox"/> WATERY	<input 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	
BALANCE AND WALKING	<input checked="" type="checkbox"/> UNCERTAIN	<input checked="" type="checkbox"/> SWAYING	<input checked="" type="checkbox"/> STAGGERING	<input type="checkbox"/> STUMBLING
			<input type="checkbox"/> FALLING	

She agreed to take field sobriety tests, which she failed. At this time she admitted she had some drinks at her friend's house in Chesterfield. She agreed to take a field breath test. That showed she was intoxicated.

<p>PRELIMINARY BREATH TEST (PBT) POSITIVE FOR ALCOHOL?</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED</p> <p>RESULT <u>.114</u> %</p>

She was arrested and taken to the Town and Country Police Station.

Cherry's Blood Alcohol was dropping, but not fast enough. The results of the "official" breath test showed he BAC level at .088% just over the Missouri Intoxication level.

BLOOD ALCOHOL CONCENTRATION BY WEIGHT
.088

In an interview she stated she had two drinks over an hour before driving and admitted that she thought she was intoxicated.

HAVE YOU BEEN DRINKING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHAT WERE YOU DRINKING? AMERICAN HONEY AND LEMONADE	TIME STARTED 10 PM	TIME STOPPED 11 - 11:10 PM
HOW MUCH? 2 GLASSES	WHERE? AT MY FRIENDS HOUSE	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	



Jennifer Cherry



Cherry's eyes

Cherry's arrest and citation record.

06/06/20	Stealing, Trespassing (City of Fenton)	St. Louis Co PD
05/02/20	DWI, Improper Lane Use	Town & Country PD
06/12/19	Felony Forgery, Felony Drug Possession	Washington PD
04/21/19	Stealing, Trespassing Guilty 2-yr SIS Probation	Kirkwood PD
10/23/17	Driving While Revoked Guilty 10-days jail	MO Hwy Patrol
04/21/17	Speeding 20-25 MPH over limit Guilty 2-days jail	MO Hwy Patrol
03/21/17	Driving While Revoked Guilty	MO Hwy Patrol
08/31/16	Driving While Suspended, No Valid Lic Plates No Auto Ins, Display Lic Plate to Other Veh warrants	Jefferson Co SO
03/05/16	Display Lic Plates to another Veh, No Auto Ins	MO Hwy Patrol
08/01/15	Receiving Stolen Property Probation Revoked 60-days	MO Hwy Patrol
07/03/14	Speeding \$146 fine	MO Hwy Patrol
08/05/13	Speeding \$170 fine, No Valid Op Lic \$300 fine	MO Hwy Patrol
01/23/13	Speeding \$150 fine	MO Hwy Patrol

11 citations over 8-years for not wearing a seat belt

OUTCOME: On February 3, 2021 Cherry Pled guilty to DWI and was given a 2-year "NO FINE, NO POINTS, No Permanent Record SIS probation term. The citation for Lane Weaving for over a mile was reduced to a Parking Violation with a \$191.50 fine.

This was despite the fact Cherry had felony charges pending, convictions for multiple Driving While Revoked incidents and Speeding convictions. However, the Town and Country Prosecutor and Judge felt she didn't deserve any points on her record or a public DWI record. Public safety sometimes comes in a distance second when the defendant has a local lawyer paid to stand next them.

22-YEAR-OLD DRUNK FRONTENAC MAN CRASHED INTO I-270 MEDIAN WALL.

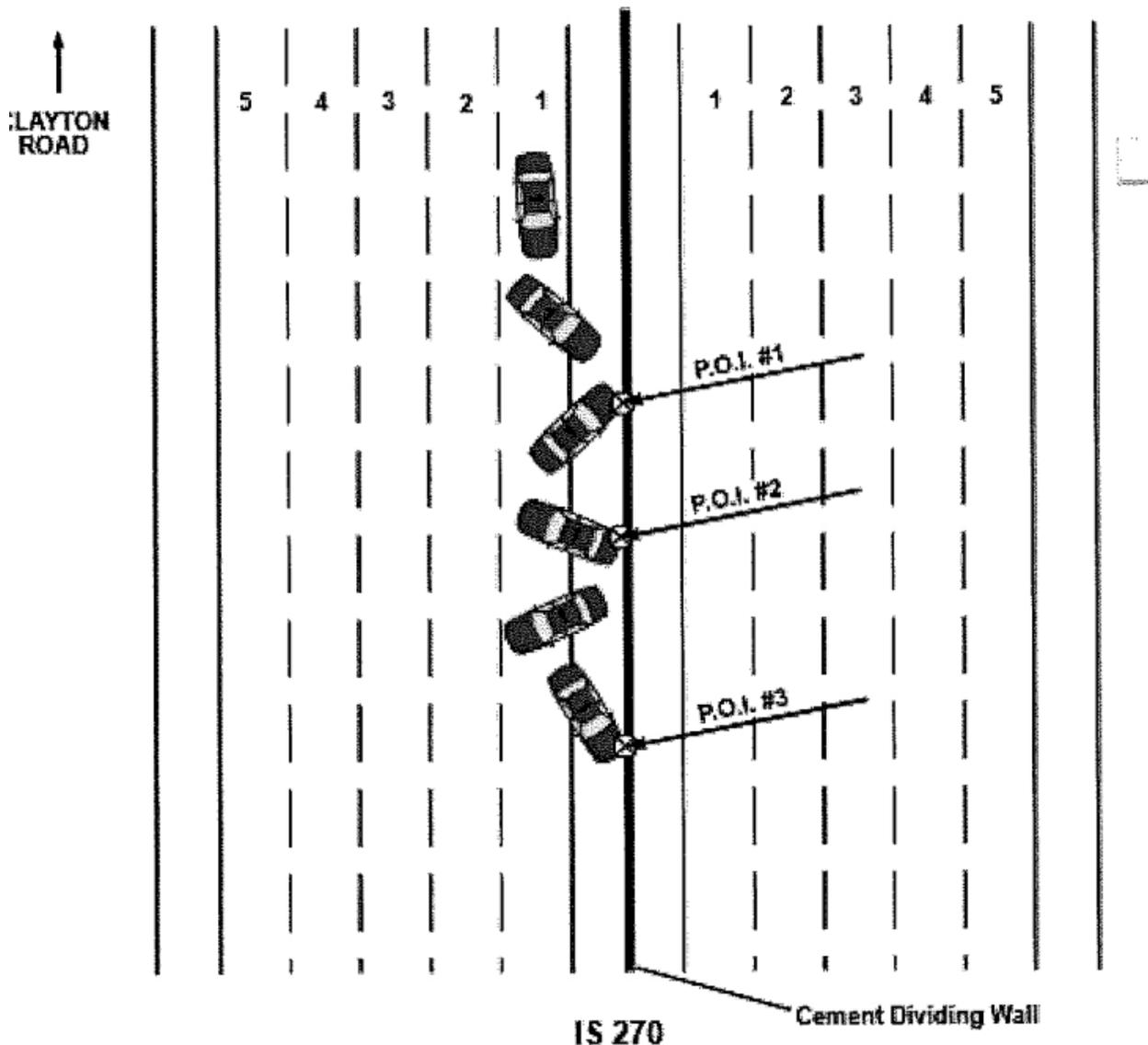
On Friday night into Saturday morning at midnight on August 22, 2020 Town and County Police Officer Dustin York responded to a report of an auto crash on SB I-270 at the Clayton Road overpass.



Officer York

On his arrival Officer York found a badly damaged Infiniti sedan with heavy front end damage, the engine smoking and heavy left side damage. The rear end of the car was sticking out into the fast lane of I-270.

Behind the wheel was 22-year-old Gordon Conrad of Frontenac. Officer Diaz had Conrad remove the keys from the ignition. Conrad said he did not know what happened.



Conrad said he was coming home from the World Wide Technology Raceway in Madison, Illinois. He admitted having a “couple of beers.”

Officer York had him get out of the car. He conducted field sobriety tests. Conrad passed a couple but failed ones involving his balance. A field breath test showed Conrad was double the legal limit.

PRELIMINARY BREATH TEST (PBT) POSITIVE FOR ALCOHOL? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED RESULT <u>.160</u> %
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This is from Officer York's report of his first observations of Conrad:

OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate boxes 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 checked="" type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input type="checkbox"/> STARING
PUPILS	<input type="checkbox"/> CONSTRICTED	<input checked="" 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"/> FELLING		
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input type="checkbox"/> CONFUSED	<input type="checkbox"/> INCOHERENT	<input type="checkbox"/> STUTTERING
		<input type="checkbox"/> MUMBLING		
CLOTHING AND FOOTWEAR	DESCRIBE: GRAY SHIRT, BLACK SHORTS, BLACK SHOES			SOILED BY: N/A
UNUSUAL ACTIONS	<input type="checkbox"/> PROFANITY	<input type="checkbox"/> HICCUPS	<input type="checkbox"/> BELCHING	<input type="checkbox"/> VOMITING
		<input type="checkbox"/> FIGHTING		
ATTITUDE	DESCRIBE: UNCOOPERATIVE			

Conrad was arrested and taken to the Town and Country Police Station. He was told the Missouri Implied Consent Law and asked if he would take an "official" breath test. He said he wanted to call his mother. Officer York gave Conrad 20 minutes to make phone calls. Conrad made one short call. At the end of 20 minutes Officer York asked Conrad if he would take a breath test.

Conrad said he wanted his mother to call Officer York. York said he would not be taking any phone calls. Conrad then refused to say if he would or would not take a breath test. Officer York told him no response would be considered a "refusal."

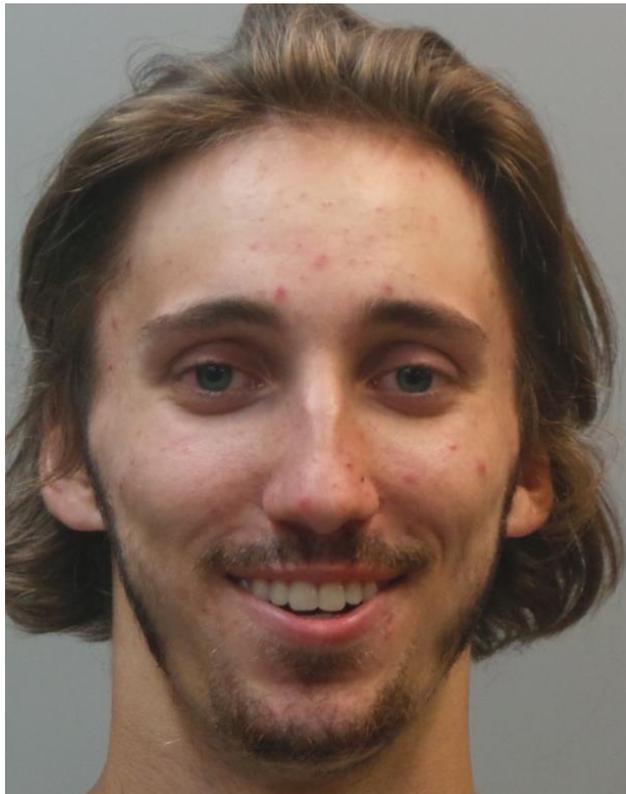
Conrad did not give a reply and it was marked down as a BA refusal. Conrad did agree to be interviewed. His responses seemed to indicate he was intoxicated. He stated that he started drinking beer at the racetrack at 8 or 9 o'clock. He stated that he did not know how many beers he had or when he quit drinking.

This is from the police report.

WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? I WAS AT WORLD WIDE TECHNOLOGY RACEWAY WATCHING A DRIFT EVENT			
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	TIME STARTED 9 OR 8	TIME STOPPED I DON'T KNOW
HOW MUCH? LIKE, I DON'T KNOW	WHERE? WORLDWIDE TECH RACEWAY	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input type="checkbox"/> YES <input type="checkbox"/> NO <i>Refused BY 158</i>	

Conrad was cited for DWI, Improper Lane Use, Fail to provide Proof of Insurance. His car appeared to be totaled, with right front, front end, left side and rear end damage plus undercarriage and windshield damage.

VEHICLE DAMAGE (Mark all damaged areas)		<input type="checkbox"/> None / No Dam
INITIAL IMPACT NO.		18 - Undercarriage 19 - Windshield 20 - Burned 21 - Towed Unit
<input type="checkbox"/> NA 2		



Gordon Conrad



Conrad's eyes

In August of 2020 we were at the height of the COVID-19 pandemic. Four and five thousand Americans were dying daily. So young Mr. Conard thought it would be an excellent time to leave the house, go to a racetrack, stand in line and buy beers and then drive home.

OUTCOME: On 01/29/21 Conard pled guilty to Improper Lane Use and was fined \$316.50. He also pled guilty to DWI and was placed on a 2-year SIS "No Fine, No-Points, No Permanent Public Record" probation term.

POLICE START GETTING CALLS ABOUT A DRUNK DRIVER IN LADUE. TOWN AND COUNTRY POLICE FIND HIM. While at the Town and Country police station the driver thinks he is in Ballwin. His breath test shows he is more than double the legal limit.

Friday night was over and it was now Saturday morning July 25, 2020 at 3:05am. Late night bars and clubs were forced to close early in the City and County due to the pandemic. Of course this did not stop people from driving drunk.

At 3:05 AM Town and Country officers were notified of a report of a drunk driver in a Honda going west on I-64 from Clayton Road in Ladue. Officer Dustin York pulled over on the shoulder at WB I-64 and Ballas Road. He didn't have to wait long.

Within a minute 22-year-old David Corley of Fenton drove by in his dark blue Honda Civic clocked by Officer York slightly under the speed limit. Officer York followed the Honda as it exited onto SB I-270 at which time the car began to weave across lane dividers on the pavement. While the car continued to weave it was also slowing down.

Officer York now had the Honda only doing 42 MPH on the interstate. As Corley continued to slow down and weave he passed the off ramp for Manchester Road. Officer York decided to stop Corley.

Upon contacting Corley Officer York immediately smelled a strong odor of booze on Corley's breath. Officer York explained why he stopped him and then asked Corley where he was coming from. Corley replied, "Downtown." Officer York then asked "where downtown?" The question was met with silence. When asked again Corley said he had been at a "friend's place." When asked how much he had to drink Corley said, "5 beers."

This is from Officer York's report:

N <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		2009	FLORIDA	CIVIC	0000
OFFICER'S OBSERVATION MADE PRIOR TO ARREST OR CUSTODY (Check appropriate box(es) and add at					
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 checked="" type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input type="checkbox"/> STARING	<input type="checkbox"/> ARTIFICIAL EY
PUPILS	<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"/> MUMBLING

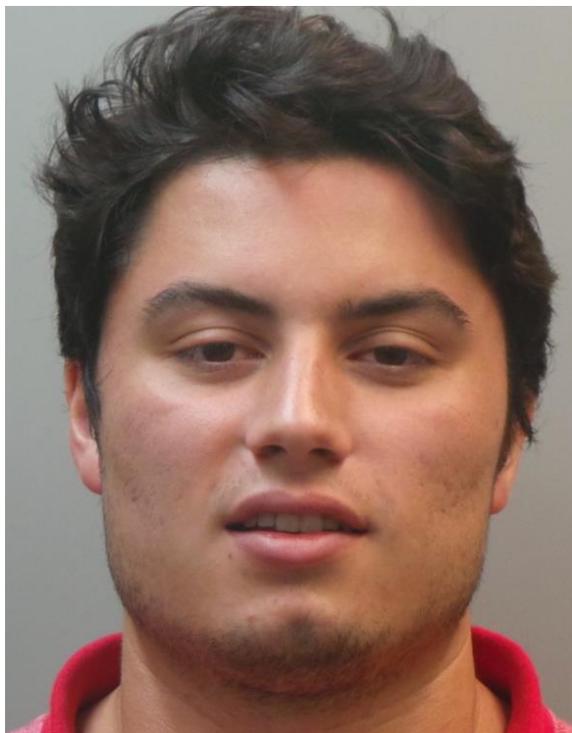
Corley passed the verbal counting and alphabet tests, but failed the balance tests. He reluctantly agreed to take a field breath test. The test showed his BAC level to be .165 or twice the legal limit and then some.

PRELIMINARY BREATH TEST (PBT) POSITIVE FOR ALCOHOL? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED RESULT <u>.165</u> %
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Corley was arrested for Improper Lane Use (weaving) and DWI. At the police station he agreed to take the "official" breath test. Over an hour after he was stopped his blood Alcohol reading was going up and not down. He now tested at **.172% BAC.**

Corley also agreed to an interview. In the interview his number of beers went up from 5 to 6. For some reason despite being told by Officer York when he was first stopped that York was with the Town and Country Police, despite shoulder patches on York and other officers he was in contact with, the City Hall and Police Department signs they passed coming to the station and the license plate and door decals on the police car, Corley thought he was in Ballwin. He also said he did not think he was drunk.

INTERVIEW — RECORD PERSON'S RESPONSES			
WHAT TIME IS IT NOW? LIKE 245ISH	WHAT IS THE DATE? CURRENTLY THE 25TH	WHAT CITY (COUNTY) ARE YOU IN NOW? I ASSUME BALLWIN	
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? HANGING OUT WITH MY FRIENDS			
WERE YOU OPERATING THE VEHICLE AT THE TIME OF THE CRASH OR STOP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO YOU HAVE EYES, SO YEAH			
HAVE YOU BEEN DRINKING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHAT WERE YOU DRINKING? BEER	TIME STARTED 630 PM	TIME STOPPED 1130ISH
HOW MUCH? LITERALLY 6 BEERS	WHERE? WHEELHOUSE THEN HOME	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	



David T. Corley



Corley's eyes

OUTCOME: Corley only had one other traffic citation on his record. It was from 02/28/20 for Failure to Obey a Traffic Control Device issued by the University of Missouri/Columbia Police.

On November 23, 2020 Corley pled guilty to DWI. Despite being more than double the legal limit Judge Andrea Niehoff placed him on a “No-Fine, No-Points, No-Permanent Public Record” SIS probation term. Corley also pled guilty to Improper Lane Use and was fined \$191.50.

18-YEAR-OLD LADUE KID WHO HAS BEEN DRINKING DOING 105 MPH IN BMW It was Monday April 27, 2020 just before midnight when Town and Country Sgt. Freddie Yaakub decided to monitor traffic on I-270. The problem in April during the Pandemic was there was very little traffic, but what was out there included drivers at high speed because of the light traffic.

Sgt. Yaakub was on the shoulder of I-270 at Clayton Road. At 11:57pm he saw a car approaching at a very high speed. The police car radar unit indicated the approaching lone car was doing 105 MPH.



When Sgt. Yaakub lit up the road and pulled out to stop the BMW flying low, the driver almost stopped in a lane of traffic. He did get to the shoulder and Sgt. Yaakub contacted him and identified him as 18-year-old Lincoln Dibler of Ladue. It would be a school night if it wasn't for a pandemic. But an 18-year-old out at midnight during a pandemic, seems a bit much. But there is more.

When Sgt. Yaakub contacted the Dibler he immediately smelled the odor of booze on Dibler's breath. 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 type="checkbox"/> BLOODSHOT	<input checked="" type="checkbox"/> GLASSY	<input 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 type="checkbox"/> UNCERTAIN	<input checked="" type="checkbox"/> SWAYING	<input checked="" type="checkbox"/> STAGGERING	<input checked="" 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"/> MUMBLING

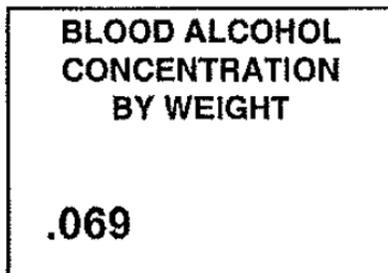
speaking to him, I immediately smelled a strong odor of what I normally associate with that of someone who has consumed an intoxicating beverage coming from the vehicle. I also noticed that his eyes were glassy and his speech was slurred. I asked him how much he had to drink and he stated none. I asked him if he blew in my PBT if it would show no alcohol and he replied, "No. I promise." I asked him if he was willing to provide a preliminary breath sample and he replied, "No." I advised him I believed his reluctance to provide a breath sample was because he had consumed alcohol. I asked him again on his alcohol consumption and he stated he had 2 beers. He later advised me he also consumed a concoction he made of Gin and Tonic. I asked him to exit the vehicle and perform a series of field sobriety tests and he complied (See page 1 of AIR form). After exiting the vehicle, I continued to smell the same strong odor of alcohol coming from his breath.

People, especially teenagers without much experience drinking intoxicants will appear to be more under the influence than a Blood Alcohol Test would indicate.

Dibler failed the field sobriety tests. He did finally agree to take a Field Breath test that show he was under the legal limit if he was not a teenager. A 0.08 BAC is an excessive BAC Above 0.02% for an 18-year-old.

His field breath test was 0.07%. He was arrested and the BMW was towed.

At the police station Dibler took the official breath test and it registered a BAC level of .069.



He was cited for Speeding 105 MPH in a 60 MPH zone and DWI.



Lincoln Dibler



Dibler's eyes

OUTCOME: Keep in mind that Judge Andrea Niehoff has a history of being very tough on people speeding in excess of 100 MPH. Not so tough on drunk drivers. In this case Dibler was represented by a local lawyer. On March 1, 2021 Lincoln Dibler had his DWI charge reduced to Careless and Impudent Driving. He Pled guilty and was fined \$191.50 and has no alcohol related driving record.

He also pled guilty to driving 105 MPH. That fine was just a little higher. The former Ladue High School soccer standout was fined \$466.50.

DRUNK BELLEVILLE MAN CAN'T STAY ON THE ROAD AFTER LEAVING JOHN MINEO'S. GETS 5TH DWI. It was a Monday night December 2, 2019 at 9:03. Cpl. Greg Messmer was driving west on Clayton Road past Mason Road when he noticed the driver of a silver Ford Focus was having problems focusing on driving the car in a straight line.

The car repeatedly crossed the center road markings separating west and east traffic. But next the driver pulled to the right and drove onto the narrow shoulder area. When the driver turned onto Cabernet Drive he was stopped by Cpl. Messmer.



Greg Messmer

The driver of the car was James P. Duff, a Belleville, Illinois resident who is an executive at Express Scripts. As soon as Cpl. Messmer reached the car to speak with Duff he smell a strong odor of booze coming from Duff's breath. Duff also was confused. This is from the police report:

I made contact with the driver on the passenger side of his vehicle and immediately smelled the strong odor of an intoxicating beverage. The driver admitted to drinking prior to driving. I advised the driver of the reason for the stop and asked for his driver's license and insurance. The driver fumbled around in his glove box and then just sat there. I asked the driver a second time but all I received in response was slurred and confused speech. The driver could not produce a driver's license and stated he did not have it on him.

Duff couldn't find his Illinois driver's license because it had been revoked.

These are Cpl. Messmer's observations 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 checked="" type="checkbox"/> WATERY	<input checked="" type="checkbox"/> BLOODSHOT	<input type="checkbox"/> GLASSY	<input checked="" 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 type="checkbox"/> UNCERTAIN	<input checked="" type="checkbox"/> SWAYING	<input type="checkbox"/> STAGGERING	<input checked="" type="checkbox"/> STUMBLING
				<input type="checkbox"/> FALLING
SPEECH	<input checked="" type="checkbox"/> SLURRED	<input checked="" type="checkbox"/> CONFUSED	<input type="checkbox"/> INCOHERENT	<input type="checkbox"/> STUTTERING
				<input type="checkbox"/> MUMBLING

Cpl. Messmer had Duff exit the car. He asked him to perform some balance tests and walk and turn test. Duff declined to do so. Cpl. Messmer then asked him to do an easy one. "Recite the alphabet starting with the letter J and sending with the letter R." Duff refused to so this test also.

However Duff did take a field portable breath test. The results show Duff was drunk with a BAC level of .186%.

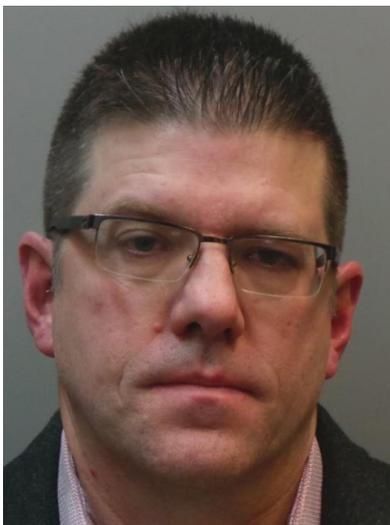
**PRELIMINARY BREATH TEST (PBT)
POSITIVE FOR ALCOHOL?**

YES NO REFUSED

RESULT 186 %

He was arrested for DWI and Improper Lane Use. At the police station he refused to take the official breath test. But he did agree to be interviewed. In the interview Duff stated that he was in MARYLAND HEIGHTS and also stated that he felt he was intoxicated. He added that he had left John Mineo's restaurant before he was stopped.

INTERVIEW — RECORD PERSON'S RESPONSES			
WHAT TIME IS IT NOW? 11:00	WHAT IS THE DATE? 12/02/2019	TUESDAY	WHAT CITY (COUNTY) ARE YOU IN NOW? MARYLAND HEIGHTS
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? WORK EVENT WITH SPECTRUM			
WERE YOU OPERATING THE VEHICLE AT THE TIME OF THE CRASH OR STOP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
HAVE YOU BEEN DRINKING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHAT WERE YOU DRINKING? BEER	TIME STARTED 6:00 PM	TIME STOPPED 8:00 PM
HOW MUCH? 4	WHERE? JOHN MINEOS	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	



James P. Duff



Duff's eyes

Duff does not have much of a Missouri driving record. But he has quite a record just in Illinois where he lives.

12/02/19	DWI, Driving While Revoked, Improper Lane Use	Town & Country PD
09/02/10	Driving While Revoked	Collinsville IL PD
07/28/04	DWI reduced to Improper Lane Use \$2,500 fine	Lebanon IL PD
05/20/04	Driving While Revoked, Improper Lane Use	Lebanon IL PD
07/28/01	Driving While Revoked Probation	Monroe Co IL
10/25/00	DUI Guilty \$600 fine	Swansea IL PD
06/11/99	Speeding Guilty \$75 fine	Madison IL PD
12/19/97	Speeding Guilty \$150 fine	New Athens IL PD
09/05/97	Speeding Dismissed at end of Probation	Swansea IL PD
08/28/97	Speeding Dismissed at end of Probation	New Athens IL PD
04/24/96	Speeding Guilty \$75 fine	East St. Louis IL PD
01/08/96	Speeding Guilty \$75 fine	Swansea IL PD
12/31/94	DUI (Driving Under the Influence) Guilty \$598 fine	Illinois State Police
12/13/94	Fail to Notify Damage to Parked Veh (LSA)	O'Fallon IL PD
02/04/92	DUI Guilty Dismissed at end of Probation	Illinois State Police
	Fail to Drive on Right Side of Road, Following Too Closely	

So Duff has had 5 DWI/DUI arrests that we could find.

OUTCOME: On 11/13/20 Duff pled guilty to the Town and Country DWI. Despite having at least five DWIs, Judge Andrea Niehoff placed Duff on a “No-Fine, No-Points and No-Permanent Public Record” SIS Probation.

The Improper Lane Use charge was dropped (apparently weaving across the center line is no big deal). Duff did pled guilty to Driving While Revoked and was fined \$466.50.

A COUPLE DRINKS AFTER WORK PUTS MAN JUST OVER THE LEGAL LIMIT It was Saturday night into Sunday morning on March 8, 2020 a week before the pandemic would shut down most bars, restaurants and country club dining rooms and party rooms.

At 3:12am Jordan Duggan, 26, was heading to his home in St. Louis from his job overseeing events at the Winghaven Country Club in St. Charles. Behind Duggan’s Chrysler 300 sedan was Town and Country Officer Dustin York. As they drove east on I-64 approaching Mason Road Officer York noticed that Duggan was weaving in and out of his lane.

After having seen enough swerves and weaves Officer York pulled Duggan over just east of Mason Road. Guess what? When York contact Duggan he smelled booze. This is from the police report:

As I was speaking with the driver I smelled an odor of an intoxicating beverage. I asked the driver how much alcohol he had to drink. The driver stated he had one beer with co-workers after work. I noticed the driver's eyes were watery, bloodshot and glassy. I asked the driver how long ago he had the one beer. The driver stated he had the beer several hours prior.

Officer York's observations of Duggan, again from the police report:

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

Duggan failed several field sobriety tests. He then took a field breath test. The results were .096%. In the 1960s that would be considered sober as the Blood Alcohol Content for DWI was .15%. In the 70s and 80s that would be almost drunk as the legal limit was .10%. However in the late 1990s most states lowered the level to .08% and by 2001 Federal Law required a .08% level for DWI if a State wanted DOT funds.

PRELIMINARY BREATH TEST (PBT)
POSITIVE FOR ALCOHOL?

YES NO REFUSED

RESULT .096%

Duggan should have been aware of his condition as he had worked as a dealer at casinos in southeast Missouri and St. Charles, where free drinks flow in a hope of people increasing their bets.

Duggan was arrested. At the police station he agreed to take an “official” breath test. Either his BAC level was going up or going down. 45 minutes after being stopped by Officer York his BAC level was going up, but barely. He tested .096 on the street and .097 at the police station.

In an interview at the police station Duggan seemed to have lied. He claimed he had only had “one-beer” three hours earlier. Also he did not think he was intoxicated.

INTERVIEW — RECORD PERSON'S RESPONSES			
WHAT TIME IS IT NOW? AROUND 2:30	WHAT IS THE DATE? IT IS NOW, MARCH 8TH	WHAT CITY (COUNTY) ARE YOU IN NOW? TOWN AND COUNTRY	
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? WORKING			
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	TIME STARTED 12:30	TIME STOPPED 12:45
HOW MUCH? 1 BEER	WHERE? AT WORK	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	



Jordan Duggan



Duggan's eyes

Duggan's record:

03/08/20	DWI, Improper Lane Use, Expired Lic Plates	Town & Country PD
12/20/19	Speeding, Unreg Veh	MO Hwy Patrol
12/21/20	FTA Warrant	MO Hwy Patrol
10/24/16	Speeding 16-19 MPH over limit	Fine
05/25/16	Moving Violation reduced to Loud Muffler	\$310 fine
		MO Hwy Patrol

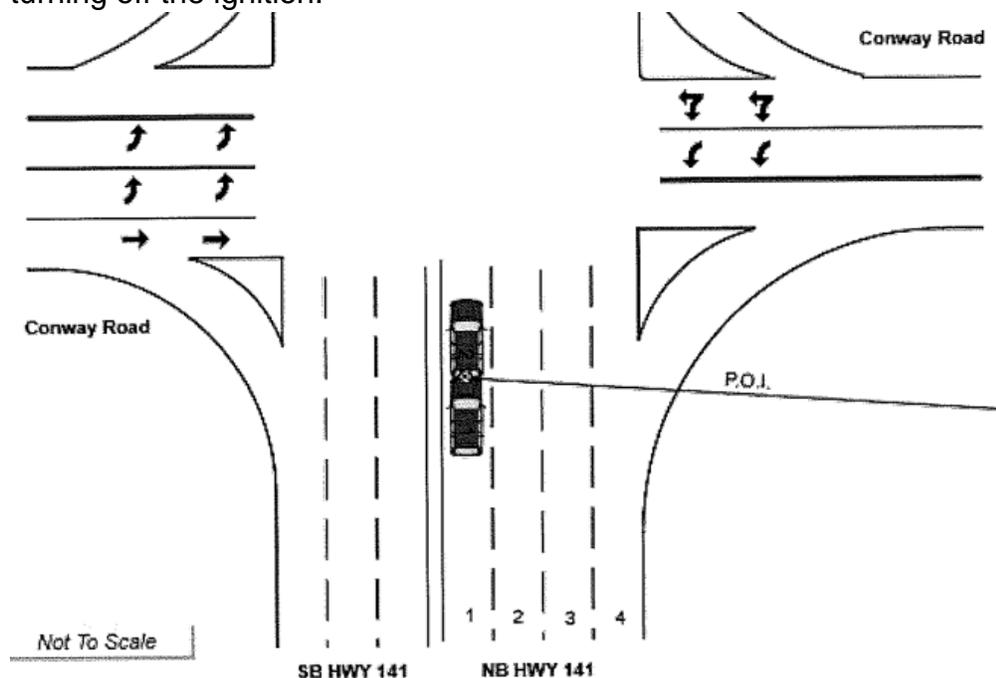
OUTCOME: On February 5, 2021 Duggan pled guilty to DWI and was given the “No Points, No Fine, No Permanent Public Record” SIS probation. The Improper Lane Use moving violation was reduced to a non-moving Parking Violation. Duggan pled guilty to something he did not do and was fined \$191.50. He also pled guilty to Expired License Plates and was fined \$50.50.

He ended up getting NO Points at all. At the time of his plea there were two arrest warrants for Duggan for Failing to Appear on citations for Speeding and Unregistered Vehicle issued by the Highway Patrol. That is pretty good. At the time Judge Niehoff placed Duggan on probation for DWI he was breaking the law in St. Charles County by failing to appear in court.

DAYTIME DRUNK DRIVER REAR ENDS CAR AT STOPLIGHT, WHEN THE POLICE ARRIVED HE DID IT AGAIN. At was 4:11 on a Saturday afternoon (September 26, 2020) when Town and Country Police Cpl. Dan Duddleston was dispatched to an auto crash on NB Hwy 141 at Conway Road.

The crash involved a black Ford Escape that had been stopped for a red light. Striking the rear of the Ford was a black Nissan X-Terra SUV. Cpl. Duddleston arrived at the scene at 4:22 or 11 minutes after the crash.

As he walked up to the car the Nissan suddenly drove forward and hit the Ford again. The driver of the Nissan kept his foot on the brake, never putting the car in “Park” or turning off the ignition.



Cpl. Duddleston contacted the driver of the Nissan, Kevin Fitzwilliam and ordered him to put the car in "park." He immediately noticed the odor of booze on Fitzwilliam's breath. There were no serious injuries and no ambulance was needed. This is from the police report:

While standing at the rear of the Nissan, I could detect a strong odor of intoxicants emitting from the driver's breath. The driver was also swaying and seemed unsteady on his feet. I asked the driver if he would be willing to submit to a series of field of sobriety tests and he stated he would.

Fitzwilliam failed the sobriety tests. He took a field breath test that showed a BAC reading of .179% BAC.

PRELIMINARY BREATH TEST (PBT) POSITIVE FOR ALCOHOL? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> REFUSED RESULT <u>.179</u> %
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Cpl. Dan Duddleston

Fitzwilliam was arrested. At the police station he agreed to take an "official" breath test. The results of that test showed Fitzwilliam's BAC was headed down. He tested .135% BAC.

**BLOOD ALCOHOL
CONCENTRATION
BY WEIGHT**

.135

In an interview Fitzwilliam stated that he had three shots of rum in 45 minutes while watching TV at home, stopping 20 minutes before the crash and currently considered himself intoxicated.

INTERVIEW — RECORD PERSON'S RESPONSES			
WHAT TIME IS IT NOW? 3:30	WHAT IS THE DATE? 2/26/2020	WHAT CITY (COUNTY) ARE YOU IN NOW? ST LOUIS MISSOURI	
WHAT WERE YOU DOING DURING THE LAST THREE HOURS PRIOR TO CONTACT WITH LAW ENFORCEMENT? WATCHING TV			
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? RUM	TIME STARTED 3PM	TIME STOPPED 3:45PM
HOW MUCH? ABOUT 3 SHOTS	WHERE? AT HOME	ARE YOU UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	



Kevin Fitzwilliam



Fitzwilliam's eyes

OUTCOME: On February 18, 2021 Fitzwilliam pled guilty to DWI. Despite being at fault in a crash and being drunk in the middle of the day Fitzwilliam was placed on a 2-year “No-Fine, No-Points, “No Permanent Public Record” SIS probation. He also pled guilty to Following Too Closely and was fined \$316.50.