

# DWI and THIEVES Spring 2013

May 07, 2013

By: John Hoffmann

Not much has changed in the five months since we last looked at a number of court cases showing how the local city prosecutors in Chesterfield and Town and Country deal with the more serious cases police file with them. In fact if anything it has gotten worse.

If you did not read our December 2 Special Holiday Report go to the website and take a look at what was the norm then and see if anything has changed. (It hasn't)

[http://johnhoffmann.net/dwi\\_and\\_thieves.pdf](http://johnhoffmann.net/dwi_and_thieves.pdf)



Here is a DWI arrest. More often than not the Drunk driver leaves the courthouse as a \$500 parking violator.

We have maintained for some time that the two most dangerous men in Chesterfield are Judge Rick Brunk and Prosecutor Tim Engelmeyer who would rather prosecute other dangerous people for illegal parking and littering than DWI, assaults and repeated thefts.



The two most dangerous men in Chesterfield. Judge Rick “Let em’ Loose” Brunk and city prosecutor Tim Englemeyer.

**THE BIG CONFLICT OF INTEREST:** Tim Englemeyer wears many hats. He is the city judge in Creve Coeur. We visited the Creve Coeur Muni Court one night and saw Englemeyer in action.

<http://crevecoeur.patch.com/articles/night-court-in-creve-coeur-is-a-big-secret>

It was worse than watching Brunk. Englemeyer never even announced the court was in session. He ran a whisper operation just like Brunk. You had no idea what the charges were, what people were pleading guilty to and what kind of sentence Englemeyer was issuing. It was a complete secret. However he is supposed to hear DWI cases and sentence drunk drivers.

Englemeyer is also the city prosecuting attorney in Valley Park and Des Peres along with Chesterfield. In all three cities he is suppose to prosecute drunk drivers.

**Here comes the problem:** Englemeyer has a private law practice. He advertises that he represents DWI defendants. This is from his law firm’s website at the end of a 600-word piece on what DWI clients need to do:

“ **SUMMARY**

**The preceding article is a summary of what a first-time DWI defendant may expect. This article is not a complete summary of the proceedings and plea agreements will vary depending on many different circumstances. Thank you for choosing Tim Englemeyer, Englemeyer & Pezzani to discuss your case and if you have any questions, please feel free to call our office at 636.532.993”**

In fact of the 20-cases from Town and Country we reviewed, Englemeyer defended two of the cases and got them no-record and no-points which included one repeat DWI

offender. The other case his client received a “no-points” SIS probation for speeding 31 mph over the limit.

How can you prosecute and judge the same people you are advertising for as clients?

This is a classic example of bottom feeding lawyers playing off of each other. If Engelmeyer hands out no-record SIS probations on DWIs as a judge or recommends them as a prosecutor he expects to get them when he represents drunk drivers in other area court rooms.

**In Town and Country** the players are Judge Dean Waldemer who is an assistant prosecutor, who handles trials at the County Prosecutor’s office. He is a municipal judge at night. You would think he would be an ideal tough judge. But you would be wrong. But he is tougher than Brunk and does not have a cozy relationship with the city prosecutor like in Chesterfield. But plenty of drunk drivers with past DWIs or defendants who are clocked driving over 100 MPH do leave Town and country Court with no points on their driving record.



Town and Country Judge Dean Waldemer is a tough County prosecutor by day and an easy judge at night.

Keith Cheung, who is currently the Ladue Municipal Judge, lost his job as the Town and Country and Ballwin city prosecutor after he was sanctioned for unprofessional conduct by the Missouri Supreme Court. He has been replaced in Town and Country by Brian Malone, who like Cheung works at the law firm of Curtis, Heinz, Garrett and O’Keefe by day.



Brian Malone is Town and country’s newest prosecutor.



See how many drunk drivers actually have a DWI on their record.

**HOW TO FIX THIS INJUSTICE:** If the city officials do not have the guts to replace judges and prosecutors with lawyers outside of the good-old-boy network, with retired military or retired state and Federal lawyers...they should at least have all the cases filed in their court listed on the casenet website, the State wide judicial website. Municipalities can place their cases on casenet, but none do so in St. Louis County.

By placing the cases on casenet citizens and elected officials can easily see the performance of local court officials. In the current system local officials do a great job in hiding this information from the public. Elected officials should make government transparent. This is one area where it can be easily done.

**OUR SURVEY:** We looked at cases listed as public records on casenet. There were cases where the defense attorney demanded a jury trial. In none of the cases was there an actual trial. Sometimes a defense attorney will disqualify a judge or move a case to Clayton because the local judge hands out tough sentences and Circuit judges buried under these city DWI cases could never actually hold trials. Other times defense attorneys simply want to have the cases in Clayton close to their offices. This is the case with chesterfield cases, as Brunk is as easy as they come.

We reviewed 20 cases from Town and Country and 24 cases involving 20 defendants in Chesterfield that were "jury demanded" and sent to Clayton. In this way we can concentrate on what the city prosecutor role is since it is the city prosecutor who offers the deal or accepts the one proposed by the defense.

The reason we are looking at the city cases sent to the Circuit Court is because we are lazy. The local courts make it difficult to track these cases. It is much easier to follow the ones that go to Clayton because they are entered into casenet. Even with the help of casenet we still have put somewhere between 50 and 60 hours of research into this report.

The Town and Country cases are mostly DWI and other traffic cases. The Chesterfield cases involve a lot more diverse crimes, including theft rings, ex-convicts, ex-husbands threatening to kill their former spouse, repeat theft suspects who had serious crimes turned into city ordinance violations despite keeping the cops busy for months.

We are starting the Town and Country and those case reviews will be followed by the more involved and interesting Chesterfield cases.

## **TOWN AND COUNTRY:**

On 07/26/12 at 1:14am 39-year-old Kevin Carraway of Manchester was arrested for DWI. It was Carraway's 39<sup>th</sup> birthday.

Officer Nicoletti observed Carraway's red 1993 Saab 9000 swerving from lane to lane on southbound I-270 past Clayton Road. When stopped Carraway exclaimed to Officer Nicoletti, "You're the boss." He then began to be uncooperative.



I know it is hard to image after looking at Carraway's mug shot, but Nicoletti reported his breath had a strong odor of intoxicants. His eyes were glassy and bloodshot and his speech was slurred.

He failed several field sobriety tests and then refused to do anything else. He refused to take a field breath test. He was arrested and transported to the Town and Country Police Department, where he refused to take an official breath test. He also refused to sign any paperwork or answer any questions.

It was determined that in 2004 Carraway was arrested for DWI in Des Peres and received a no-record SIS probation term. He also had a 2002 drug arrest which he was sentenced to one-year in jail, but had the sentence changed to a probation term.

On March 18, 2013 he pled guilty and was fined \$500, sentenced to 60 in the County Jail, with the jail term suspended for two years of supervised probation. Of 40 cases we reviewed this was the only one where the defendant was found guilty of the actual charge which is on his driving record.

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On March 21, 2012 at 2:22am 31-year-old Clifford Pruitt of St. Louis stopped on westbound I-64 past Highway 141 by Cpl. Wolfe for erratic driving. Cpl. Wolfe walked up to the car and asked to see the driver's operator's license. At that time the driver suddenly accelerated and drove off at a high speed.



Cpl. Wolfe reported Pruitt reached speeds over 100 MPH when he exited I-64 at Clarkson Road, but then reentered I-64 going eastbound back up to speeds in excess of 100 MPH. Cpl. Wolfe felt he saw enough of the driver to identify him again and disregarded pursuing the car.

An investigation revealed that Pruitt had a history of drug arrests and that his driver's license was suspended. Pruitt was identified through tracing his license plate and obtaining mug shots.

On March 18, 2013 he pled guilty to illegal parking and fined \$250. He also pled guilty to Improper Lane Use and fined \$250. He pled guilty to Eluding a Police Officer and was given a 2-year Suspended Imposition of Sentence SIS (no record) probation term. Next he pled guilty to speeding 40MPH over the speed limit and was given a SIS (no record) probation term. Pruitt was facing a minimum of 16-points but left court with only 2. For speeding over 100-mph and for Eluding a Police Officer he was given NO-RECORD probation. The 12-point violation of driving with a suspended license was presto-turned into a parking ticket. This is an example of how prosecutors and the courts have much to blame in an unsafe police pursuit. The criminals know little will happen to them for

running from the police. Town and Country Prosecutor Brain Malone sent a clear message to the citizens that he doesn't really care about their safety.

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On 11/22/12 24-year-old Timothy Noce of Chicago was arrested for speeding 47 mph above the limit, **107 MPH in a 60 mph zone.**



ON March 18, 2013 he pled guilty before Judge Smith and received a one-year unsupervised probation term and a requirement to do 60-hours of community service. HE WAS GOING 107 MPH and doesn't get any points on his driving record! What is wrong with this picture?

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On 04/13/12 at 7:16pm 33-year-old Syed Ali of Ballwin was arrested for DWI, Speed too fast for Conditions and No Proof of Insurance. Ali had driven off of Clayton Road and Woods Mill and crashed his 2007 Toyota into a tree in front of the Schnucks Plaza. A passing off-duty EMT saw Ali behind the wheel at the time of the accident and stopped to check on his condition.



On the arrival of Officer Fowle, Ali said he had two drinks prior to the accident. He failed several field sobriety tests. His eyes were bloodshot and he smelled of intoxicants. He was staggering and his speech was confused.

He was arrested for DWI and transported to the police station where he took a breath test. The results of the breath test showed **Ali's BAC was .37%**. As a police officer I had arrested about 350 drunk drivers and given breath tests to maybe another 100 suspects for other officers. In that time I maybe had five people test higher than .30 BAC and only one or two above .35%.

During booking Ali was given his rights and then an interview was done. The day was Friday April 13. Ali thought it was April 11. Twice he denied that he had been involved in an accident. The 33-year-old Ali said he and his girlfriend had been celebrating their 25<sup>th</sup> anniversary.

On 02/07/13 he pled guilty to DWI and was given a 2-year unsupervised probation SIS (no record) probation term. He also pled guilty to Failure to Yield and was fined \$350.

This is a clear example of the problem with the system. Here is a driver who is literally falling down drunk with an amazing high BAC level, who was involved in an accident. Yet, Town and Country prosecutor Brain Malone believed it was the right thing to do to give Ali a deal that included a "no-record" probation.

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On 09/29/12, a school teacher 67-year-old Susan Gummersbach of South County was arrested for DWI and driving the wrong way on a one way street. Actually she was driving the wrong direction on Interstate-64!



Town and Country police responded to a call of a motorist driving eastbound in the Westbound Lanes of I-64. Officers observed the black 2010 Honda CRV be driven off the road and get stuck in the grass between I-64 and the North Forty Road.

When contacted by officer Gummersbach blurted out “I’m drunk! I know I’m drunk.”

After failing all the field sobriety tests Gummersback was arrested. Officer Niicoletti noted in the report that she mumbled that her father had been killed by a drunk driver as he was placing her in the police car.

At the police station she either refused to place her lips on the mouthpiece of the breath testing instrument or she was unable to. Either way, it counted as a refusal.

On 01/17/13 she pled guilty to DWI and received a 2-year SIS (no record) probation term. She pled guilty to Wrong Way on One-Way Street and paid a \$350 fine. At least she actually got points on her driving record.

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On 05/11/12 just after midnight 28-year-old Daniel Buck of St. Louis was arrested for DWI. He was seen by Officer Schlager driving off of I-270 onto the shoulder near Clayton Road. His breath had a strong odor of intoxicants, his speech was slurred and eyes were bloodshot. He failed all sobriety tests given and was arrested and his 2002 Dodge was towed. .



At the station a breath test was given that showed Buck’s BAC to be .15%. He said he had “two drinks” over the last five hours.

On 01/13/13 he pled guilty and was placed on a two-year supervised SIS (no record) probation and fined \$350 for illegal parking. Once again someone who was almost

double the legal limit and who was driving off an interstate highway left court without any official violation on his driving record.

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On 12/14/2010 37-year-old Monica Stiles of Sauget, IL was arrested for DWI after being clocked speeding 74MPH in a 60 MPH zone on SB 270 by Officer Scott Schlager..



Stiles had been arrested less than two months earlier by the Ladue Police. She admitted having a “probably a couple glasses of wine,” smelled of intoxicants, had bloodshot eyes and was unsure on her balance. A field breath test showed she was intoxicated. She was arrested and at the police station she refused to take an official breath test.

On 11/29/12 she pled guilty to DWI and was given a 2-year SIS (no record) probation term. She also pled to Illegal parking and fined \$200 and pled guilty to Failure to Signal a turn and was fined \$100. Here is a person who had been arrested twice for DWI in less than eight weeks and Town and Country lets her off with a no-record deal. Nowhere in the police report was it even mentioned that she failed to signal.

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On 05/09/12 31-year-old Phillip Nies of Manchester was arrested for DWI after Officer Scott Schlager observed him driving his gold 1997 Cadillac Deville westbound on I-64 at 2:11am without his lights on.



Nies had a strong smell of alcohol about him and admitted having “5 beers.” He failed field sobriety tests and was arrested. At the police station his breath tested at .102% BAC.

On 11/29/12 he pled before Judge Draper to DWI and was given an unsupervised two-year SIS (no record) probation. He also pled guilty to Driving Without Headlights and paid a \$350 fines. At least in this case he did plead guilty to a non-moving violation that he actually committed.

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On 05/13/12 at 9:33 in the morning John Golobic was arrested for DWI after being stopped for speeding 91 MPH in a 60 MPH zone on SB 270 south of Clayton Road.



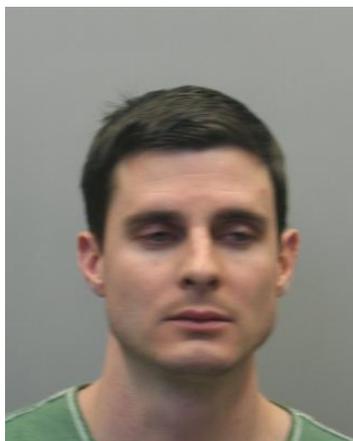
The 19-year-old Golobic had apparently tied one on the night before. He told Police Cpl. Walker he last had something to drink at 2am. His breath still smelled of intoxicants and he failed several field sobriety tests. At the police station he took breath test and his BAC level tested at .083 just above the legal limit.

Beer was also found in Golobic's car. He was charged with Speeding 91/60, DWI and Minor in Possession of Alcoholic Beverage.

Golobic was represented by Chesterfield prosecutor and Creve Coeur judge, Timothy Engelmeyer. On 12/06/12 he pled guilty before Judge Judy Draper and was given two SIS probation (no record) terms for Reckless Driving and speeding 35MPH over the speed limit. He left the courtroom after being found guilty of driving 31 mph over the speed limit while drunk with nothing on his driving record.

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On 04.07/12 31-year-old Tyson Heisner was arrested for DWI. He was observed by Officer McNutt weaving from lane to lane on westbound I-64 and then made a sudden change of lanes after the exit driving across the gore-point without signaling to go north of I-270.



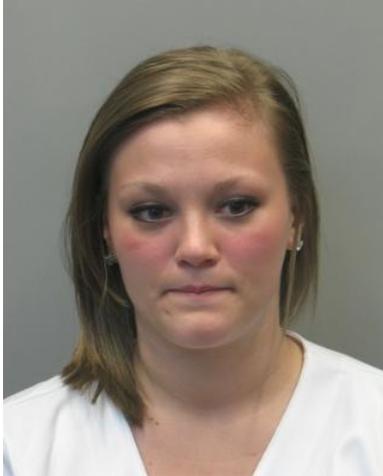
Heisner denied having anything to drink, despite smelling of intoxicants, having slurred speech unsure balance and bloodshot eyes. He failed field sobriety tests and a field breath test showed he was over a.08% BAC.

He was arrested and at the station refused to answer questions or take the official breath test.

On 12/13/12 he pled guilty before Judge Judy Draper to DWI and was placed on a two-year unsupervised SIS (no-record) probation. He was fined \$200 for Improper Lane Use. If you look at his mug shot you can get a good idea how messed up Heisner was.

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On 05/23/12 just after midnight 19-year-old Katherine Burton of Dorsey, IL was stopped on Highway 141 at the South Outer Road for speeding and failure to signal a turn. She had evidence of having been drinking and alcoholic beverages were found in her car.

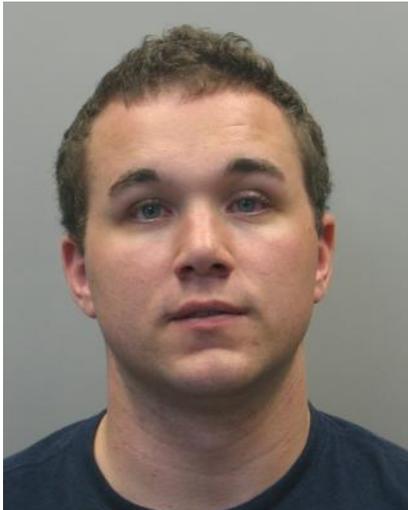


She passed a breath test and was not cited for DWI, but she was charged with being a Minor in Possession of Intoxicants, Speeding and Failure to Signal.

ON 12/06/12 she pled guilty to Littering and fined \$ \$200 by Judge Draper. She also pled guilty to Illegal Parking and fined \$150. These are two offenses she was never charged with that there was no evidence she had committed.

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On 06/15/12 slightly after midnight 23-year-old Gregory Lindsay of Maryland Heights was arrested for DWI by Officer Scott Schlager, who had seen Lindsey's 2011 Toyota Camry weave from lane to lane on southbound I-270.



Lindsay denied having anything to drink, but as he began to fail field sobriety tests admitted he had a "few" beers at the Cardinals game earlier in the evening.

At the station after he tested .14% BAC he stated that he thought he had "four beers."

On 11/29/12 he pled guilty before Judge Draper to DWI and was given a two-year unsupervised SIS (no-record) probation term. He was also fined \$323 for Illegal Parking. Once again Lindsey was another person who admitted being a drunk driver who left the courthouse without anything on his driving record.

A check of state court record files showed a Gregory Lindsey with an “e” instead of an “a” in his last name at the same address in Maryland Heights had his driver’s license suspended in connection with a DWI arrest in 2009 for failing to take a breath test.

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On 06/15/11 at 2:49am 25-year-old Heather Kalkofen of Manchester was arrested for DWI. She had been observed lane weaving on SB I-270 by Officer Scott Schlager, who was not able to stop her until after she exited I-270 onto Manchester Road and reached Topping Road.



Kalkofen had a prior DWI arrest in 2007 by the Creve Coeur Police.

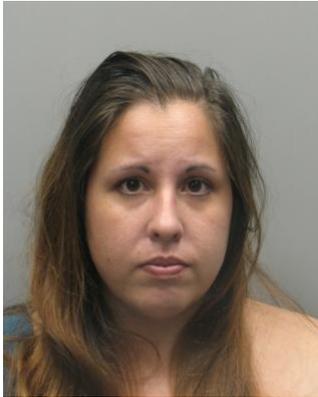
She failed field sobriety tests and a field breath test and was arrested. At the station she refused to answer other questions and refused to take a breath test.

On 11/29/12 she pled guilty before Judge Judy Draper and was given a 2-year unsupervised SIS (no-record) probation term. She also was fined \$350 for Illegal Parking. Here is a prior DWI suspect who refused to take a breath test who was ended up with nothing on her driving record.

10 days after having the Town and Country prosecutor agree to a plea with a SIS unsupervised probation Kalkofen was arrested by the Creve Coeur Police for DWI and was charged in State Court with felony DWI Persistent Offender.

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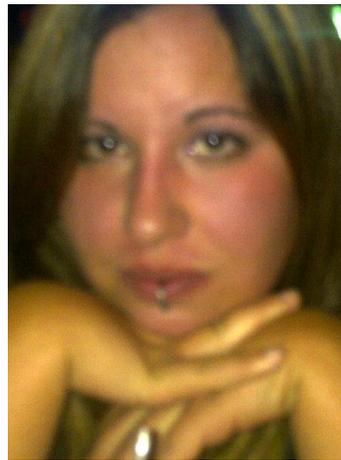
On 09/27/11 28-year-old Amanda Walther of St. Louis was arrested 9:22pm after being stopped by Officer Palmer for a traffic offense after she handed him an altered driver's license.



Mug Shot



Current Facebook profile photo. Past Facebook profile photo



At the time of her arrest she was on probation for felony Possession of Marijuana.

On 11/29/12 she pled guilty to Littering before Judge Judy Draper. She was charged with a minor traffic charge and convicted of something that environmentalists would be aghast of...which she never did. Less than a month after her plea on this case, a drug charge in the city of St. Louis was filed against her that is still pending.

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On 06/21/12 19-year-old Mitchel Miles of High Ridge was cited for being a Minor in Possession of Alcoholic Beverages just after midnight outside of a house at 930 Kings Cove.

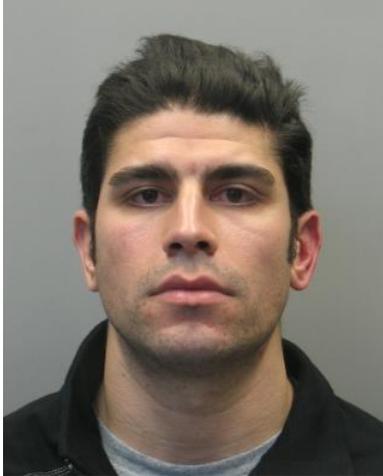
On 11/29/12 he pled guilty before Judge Draper for Littering and fined \$250.

As a 17-year-old the Missouri Highway Patrol cited Miles for speeding 20 MPH over the limit.

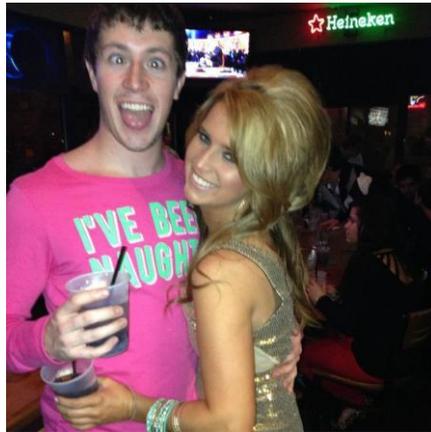
On 11/26/10 Miles was arrested for Burglary in St. Louis County. He was later indicted by a Grand Jury and on 05/27/11 he pled guilty and was given a no-record SIS 5-year probation term.

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On 02/14/12 Geoffrey Theodore of Ballwin was arrested for DWI shortly after 1am when Officer Scott Schlager observed his 1999 Toyota 4-Runner weave across four lanes of traffic on I-270.



Mug Shot



facebook shot

Theodore was familiar with the Town and Country Police and the T&C Police station. He had been arrested for DWI on June 19, 2006.

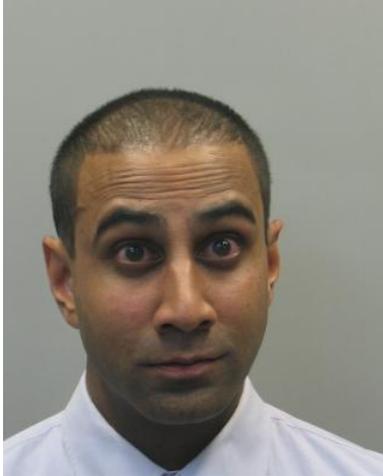
Theodore had the usual strong smell of intoxicants, bloodshot eyes and unsure balance. He refused to take a field breath test and failed other field sobriety tests. He was arrested and at the station he refused to answer questions or take an official's breath test.

Represented by Chesterfield city prosecutor Timothy Engelmeyer on 11/29/12 the 27-year-old pled guilty before Judge Judy Draper and was given a two-year unsupervised SIS (no-record) probation term. He also pled guilty to Improper Lane Use and was fined \$500.

This is another case where Town and Country refused to prosecute a repeat Drunk Driver and allowed him to obtain a probation term that left his driving record clean. T&C was happy to take \$500 for the lane weaving violation but ignored the more serious charge by handing out a no record probation.

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On 04/22/12 just after midnight Ajay-Bhaskar Balam was clocked speeding 78 MPH in his 1999 Toyota 4-Runner by Cpl. Wolfe, who also reported the vehicle was weaving between lanes. Once stopped Balam smelled of intoxicants, his eyes as you can see in the mug shot are bloodshot, his speech was slurred and balance was unsure. He claimed he had just "two beers" at a wedding reception.



He failed a field breath test and sobriety tests. He was arrested. At the station his claims changed. During an interview he said he had just “one beer” earlier. A breath test showed his BAC level to be .211%

On 10/23/12 he pled guilty before Judge Draper and received a \$500 fine for Careless Driving and a \$150 for Illegal parking. Here is a case where City Prosecutor Brain Malone had someone who tested two-and-a-half times over the legal limit who was not convicted of any alcohol related driving offense. It was another case where a dangerous person was found guilty of a parking violation, when he did not voluntarily park anywhere.

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On 09/13/10 31-year-old Brianne Baumgartner was arrested for DWI. Officer Palmer had first seen her weaving from lane to lane on westbound Highway 64 around Woods Mill in her 2004 Red Mitsubishi and then saw her following only one car length behind a semi-tractor-trailer. Officer Palmer reported her breath had a strong smell of intoxicants, that her eyes were bloodshot (as confirmed by her mug shot) and her balance was unsure.



Baumgartner, who was on a night off from her bartending job refused to take any tests. She admitted to having four beers during the evening.

On 11/29/12 she pled guilty and received a 2-year unsupervised SIS (no record) probation term. She also pled guilty to Illegal Parking and was fined \$350. Here is another case of where justice was grossly compromised by the local prosecutor and the judge. The woman was cited for three moving violations. She refused to take a breath test that is required of all licensed drivers in Missouri. After court she did not have a public record of any moving violations. How Judge Smith and Prosecutor Malone think they are keeping the public safe is beyond me.

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On 04/06/12 at 1:26am 44-year-old Gary Edelen of St. Peters was arrested for DWI. She was stopped for lane weaving on I-270 by Officer Katie Exline. Edelen had been arrested twice before for DWI, the most recent arrest was three weeks earlier in St. Peters.



Edelen told Officer Exline that he had “just” received a text message about the death of a relative and was upset, which caused him not to pay attention to his driving. Officer Exline checked Edelen’s phone and found the last text message was received three hours earlier. She also found an open half-filled can of Budweiser in around the driver’s seat of Edelen’s Mercedes Benz.

Edelen’s eyes were bloodshot, his breath had a strong odor of intoxicants and his speech was slurred. He refused to take a field breath test and was arrested.

Once at the station Edelen refused to take an “official” breath test.

On 12/06/12 he pled guilty before Judge Draper and received a two-year unsupervised SIS (no record) probation. He was also fined \$350 for Improper lane Use. Here is a person with a track record of DWI arrests who the Town and Country prosecutor refused to prosecute for DWI.

## **Chesterfield**

On May 29, 2012 Joshua Reingold of Edwardsville was arrested for DWI. Officer Lantz was dispatched to the apartment parking lot at 940 Peach Hill Lane. The ex-wife of Joshua Reingold had called police dispatch and reported Reingold was driving to her apartment armed with a gun in a white VW with tinted windows. He was a suspect in an earlier assault.



Officer Lantz observed the car pull into the apartment complex and with the assistance of other officers ordered Reingold out of the car at what time he was handcuffed. Officers observed that Reingold’s fly was open and it appeared as if he urinated on himself.

At the police station Reingold's was staggering, he smelled o intoxicants, his speech was slurred and confused. He refused to do any field sobriety tests and refused to take a breath test.

It was also determined that his driver's license was suspended. He was charged for having an Open Container of Alcohol in the Car, Driving while Suspended and Driving While Intoxicated.

On February 14, 2013 he pled guilty to Illegal parking and was fined \$500.50. He also pled guilty to peace disturbance and was fined \$250.50.

In this case where an intoxicated assault suspect drives back to the victim's apartment on a suspended license, then refuses to take a breath test...city prosecutor Tim Engelmeyer has sent a clear message to the citizens of Chesterfield and the Chesterfield Police Officers. When he reduces a serious DWI charge to illegal parking the message is that he does not care about their safety.

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On 10/16/12 47-year-old Dr. Pearl Serota of Creve Coeur was cited for speeding 68 MPH in a 40 MPH Construction Zone. Less than a month later on 11/15/12 Dr. Pearl Serota was cited again this time for speeding this time doing 60 mph in a 40 mph zone.



On 02/07/13 she was found guilty of illegal parking and fined \$250 for 68/40 in the construction zone.

On 02/14/13 she was found guilty of illegal parking and fined \$125.50 for the 60/40 charge.

She should have had two points for each speeding charge levied against her if she was actually convicted of speeding. What message does city prosecutor Tim Engelmeyer send to highway workers, city street workers and constructions workers on city, county or state road projects, by reducing a 68mph ticket in a 40 mph construction zone to an illegal parking charge?

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On 07/13/2012 Andrew Kraus was arrested for DWI at a sobriety check point on Olive Blvd at Faust Park. He had failed field sobriety tests, his eyes are clearly bloodshot and he admitted drinking two gin and tonics. However the breath testing instrument was faulty. He was arrested based on observation and not on the basis of a breath test he took that failed to register.



On 02/07/13 Mr. Kraus pled guilty to littering and was fined \$250. This is one weak case and actually the reduced charge of "Littering" might have been appropriate.

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On 07/12/07 32-year-old James Bolden committed a fraudulent driveway repair scam, where he took a \$400 down payment from a Chesterfield resident for driveway work that he never started. Bolden was also a suspect in a similar theft in Chesterfield.



At the time of his original arrest in

He originally failed to appear in city court and a warrant was issued for his arrest. At the time of his second arrest by Chesterfield PD in 2012 on the Stealing/Fail to Appear warrant Bolden was also wanted on warrants with the Florissant Police.

On 12/06/2012 he pled guilty before Judge Judy Draper and sentenced to one year probation term unsupervised. In a plea deal approved by Engelmeyer.

Here is some of Bolden's crime history that we could find:

On 08/09/95 Bolden pled guilty in St. Louis County court to Driving While Revoked. He was sentenced to two days in the County Jail. He had originally been charged on 06/21/95 by the Kirkwood Police while investigating an accident. Bolden was charged for causing the accident also.

On 12/13/96 Bolden pled guilty to Leaving the Scene of an Injury Auto Accident and Making a False Declaration. He had originally been charged by the Kirkwood Police after the accident on 03/26/96. He was sentenced to 5-years in the Department of Corrections, but the sentence was suspended and he was placed on supervised probation. He violated probation and was given a 120 day "shock" sentence in the Department of Corrections.

Also on 12/13/96 Bolden pled guilty to felony stealing from a 03/15/96 arrested handled by the St. Louis County Police. Bolden was sentenced to 5-years in jail but served the 120 days in the Department of Corrections concurrently with the Leaving the Scene of an Accident case.

Also on 12/13/96 Bolden pled guilty to a felony stealing offense that resulted in his arrest by the Brentwood Police. He received the same 5-year sentence with the 120 days shock jail time.

On 11/05/99 Bolden pled guilty to a Felony Stealing charge from a crime investigated by the St. Louis County Police. He was sentenced to five years in the department of Corrections.

Also on 11/05/99 Bolden pled guilty to a Felony Stealing (3<sup>rd</sup> offense) that was investigated by the Brentwood Police on 05/17/99. He received a concurrent 5-year jail sentence with the above case.

Also on 11/05/99 Bolden pled guilty to a DWI charge filed by the Kirkwood Police on 05/21/99. He was sentenced to 60 days in jail to run concurrent with the above 5-year sentences.

On 03/20/2000 a St. Louis County Circuit Court found against Bolden and placed a judgment against him for \$26,911 in connection with a 1999 personal injury auto accident. The judgment has never been satisfied.

On 01/23/03 Bolden pled guilty to Felony Drug Possession, a misdemeanor drug charge and driving while revoked in the St. Louis County Circuit Court. Bolden was originally arrested by the County Police on 05/09/02. He was sentenced to 4-years in the Missouri Department of Corrections and was released early.

On 11/02/2004 Bolden pled guilty to Felony Stealing (3<sup>rd</sup> or more offense) in a Lincoln County Circuit Court, arising from an arrest on 06/09/04 by the Troy PD. He received a 2-year jail sentence.

On 07/02/05 Bolden pled guilty to Driving While Revoked and Resisting Arrest in the City of St. Louis stemming from a 07/24/02 arrest.

On 01/14/08 Bolden pled guilty to felony theft charges in the City of St. Louis resulting from a 07/25/05 crime. He was sentenced to six years in the Missouri Department of Corrections and apparently was released in less than a year.

On 11/26/08 Bolden pled guilty to Felony Stealing in St. Louis County Circuit Court resulting from a crime where he was arrested by the Creve Coeur Police in 05/25/07. He was sentenced to three years in the Department of Corrections. Bolden was given a suspended execution of sentence and was placed on supervised probation for three-years.

On 02/20/09 Bolden pled guilty to an assault and two drug charges in the City of St. Louis resulting from an 11/28/07 arrest. He was sentenced to 60 days in jail.

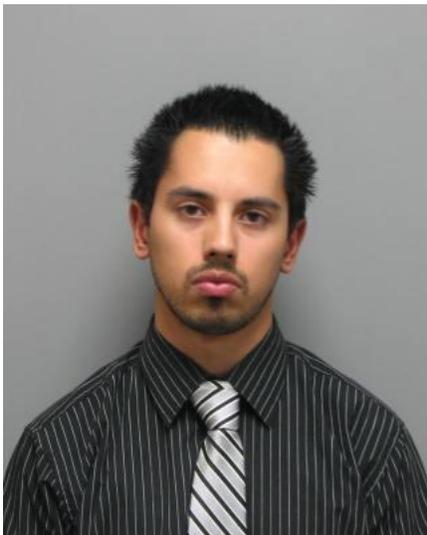
This case should have been filed as a felony by the police. Bolden had five felony convictions prior to ripping off Chesterfield residents. Any theft cases after three theft convictions in Missouri can be charged as felonies. Mr. Bolden belongs in the hands of the Department of Corrections and prosecuted by the County Prosecutor, not Mr. Engelmeyer.

The cops should have obtained felony charges and the city prosecutor should have not accepted this case and sent it to the County Prosecutor. I mean if I can find these past convictions so should the police officers and detectives and the city prosecutor.

The idea that Mr. Bolden was given a free pass by the City of Chesterfield in 2012 when he had accumulated eight felony stealing convictions, a felony drug conviction plus misdemeanors convictions for assault and drug charges is an insult to the Chesterfield victims. The case should never have been in city court and the only reason to accept a guilty plea with no penalty is if the victims died or moved out of state and couldn't come to court to testify.

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On 04/20/12 24-year-old Mr. Samuel Dorshaw of south St. Louis was arrested by Officer Dammrich after he had observed Dorshaw driving a 2004 Honda Accord with license plates that belonged to a Jeep. Officer Dammrich determined that Dorshaw's driver's license was revoked.



On 01/17/13 he pled guilty before Judge Dennis Smith to illegal parking and was fined \$300.50.

A more reasonable plea bargain would be for city prosecutor Engelmeyer to reduce the charge to Operating a Vehicle Without a Valid License which is a 2-point violations instead of a 12-point violation for Driving with a Revoked License. But Dorshaw was rewarded for not registering his car and driving while revoked by getting a parking conviction.

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On Tuesday 09/01/2009 at 6:50pm 43-year-old Ballwin resident Lee S. Dong was arrested by Macy's Security officers for shoplifting. At the time of his arrest, Mr. Dong's 13-year-old son was with him.

Dong had brought a straight edge razor with him to the store. He cut off price tags of \$24.50 shirt, removed his shirt, put on the store's shirt and then put his shirt back on over it. This was witnessed by store security and police.

He was arrested when he left the store. The entire incident was recorded.



Dong listed his occupation as a nail stylist. He is not a United States citizen and the police report listed him having non-resident status. He was charged in Chesterfield Municipal court with Stealing Under \$500 and Possession of a Theft Device.

Dong failed to appear in City Court and Failure to Appear warrants were issued.

He was arrested on the warrants three years later as a fugitive from Chesterfield by the Ballwin Police. Chesterfield officers picked him up and transported him to Chesterfield where he was held until he could post another bond.

On 01/24/13 he pled guilty to a reduced charge of illegal parking before Judge Dennis Smith and was fined \$225.50.

On 06/13/11 Dong had pled guilty to Assault 3<sup>rd</sup> Degree resulting from an arrest on 08/09/09 by the St. Louis County Police. He was sentenced to 15 Days in the County Jail. The jail time was stayed and he was placed on 2-years probation.

Tim Engelmeyer reduced a graduated felony charge of stealing to a traffic violation of Illegal parking...despite Dong being on probation for a crime that occurred after his arrest. You cannot deport Dong for Illegal Parking. The U.S. can deport him if he is arrested and convicted twice more of stealing as the third offense can be a felony.

Thanks to Engelmeyer it will now take 4 stealing offenses. This case was not hard to prosecute. The crime was recorded!

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On 04/04/12 19-year-old Kelly Elizabeth Kraemer of Florissant was arrested for stealing three tops from the Hollister Store in Chesterfield Mall. Store security witnessed Kraemer destroy three security devices after removing them from the tops. She then hid the security devices in the store, put the tops in her handbag and left. Store detectives stopped her after she left the store and was held for the Chesterfield Police. The cops did not arrest her but released her at the store on summonses to city court for Stealing and Destruction of Property.

On March 21, 2013 she pled to two reduced charges of Littering before Judge Dennis Smith and was fined \$250 on each charge for a total fine of \$500.

This isn't the first time she got such a good deal. On 09/13/11 she pled guilty to a reduced no-point charge of driving with a defective muffler after the Missouri Highway Patrol had cited her for a serious moving violation in January of 2011. She was fined \$150 by a County Court in St. Charles.

On 02/09/12 she pled guilty to an amended moving violation that had been issued to her by the St. Charles County Sheriff's Department. The charge had been reduced to Illegal Parking and she was fined \$220.50.

Kraemer did not have to have a permanent record, but she clearly needed to pled guilty to Stealing and receive a Suspended Imposition of Sentence which would erase the conviction after a one or two-year probation term with no further arrests. She would turn 21 and have a clean record. But to allow her to leave court after simply paying a fine for littering is an abuse of the system. It certainly did not cover the costs of the store, the city having the police response and the city prosecutor having to go to Clayton.

It appears as if Chesterfield's PA is more interested in moving cases and getting along with the area bar members than looking out for the welfare of the taxpaying businesses and in this case the 19-year-old girl who thinks she can get out of anything. In the 30-years I spent as a police officer I believed that in most cases petty criminals get away with 5-to10 crimes before getting caught for one.

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On 09/14/12 37-year-old Kevin Grossnicklaus of Ballwin was arrested for DWI.



Facebook Photo



Mug Shot

Grossnicklaus was arrested just before midnight at a sobriety checkpoint on Clarkson Road. He told officers he was on his way home from a concert. He smelled of intoxicants, his balance was unsure and had to lean against his car when he exited. He admitted drinking and being intoxicated earlier but not at the time of the stop.

He was arrested and his breath test showed his BAC level to be .097%.

On 01/17/2013 he pled guilty before Judge Dennis Smith to Careless Driving and fined \$500.

At least Cowboy Kevin got two points on his license, but DWI is a graduated felony and now with the DWI charged completely dropped by Engelmeyer Kevin would need four DWI arrests now to reach the felony mark. Also part of DWI sentencing is to make sure they don't do it again. Grossnicklaus was not on any probation term nor was he required to complete any court ordered counseling. Why have DWI checkpoints if you don't plan to convict drunk drivers?

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On 05/11/12 51-year-old Michele Scarato of the 1900 block of Highland Forest Ct of Chesterfield was arrested for Failure to have Paternal Control. Chesterfield Police were dispatched to an out of control party at Scarato's home at 1926 Highland Forest Court.



Facebook photo

When officers arrived they observed teenagers run to the back of the house. Officers found teenagers pouring out alcoholic beverages while others ran into the house. They found empty beer cans in trash bags in the backyard.

Officers knocked on the front door and were met by Mrs. Scarato who refused to allow officers in the house. She said she would send youths out to the officers. The youths sent out were found to have been drinking.

Her husband, Dr. Garry Scarato, arrived home and gave police permission to search the house. Inside the house the police found three large coolers full of ice and beer, a case of Bud Select not yet on ice, smaller coolers with liquor bottles, a bag with liquor bottles, plus two Gatorade bottles that had liquor mixed with Gatorade. (Gatorade replenishes body fluids. In other words it allows intoxicants to leap into the blood system and gets you drunk quicker.) Police also found more teenagers hiding in the basement and in bathrooms.

21 teenagers were found to have been drinking. One was combative and uncooperative and was arrested. He then resisted arrest and attempted to escape custody.

On 01/17/13 she pled guilty to littering before Judge Dennis Smith and was fined \$250.50.

Now here is a 50-year-old who aided in putting the safety and welfare of 21 teenagers in jeopardy. She also put maybe 1,000 other drivers in harm's way when these kids left her house, especially if they made it to I-64 or I-270. I'm still amazed the police simply wrote her a summons and did not arrest her or charge her with 21 counts of allowing intoxicants to be consumed by minors.

With a mountain of evidence the city prosecutor accepts a plea agreement of "littering." If I was one of the parents of the other 21 kids I'd be pissed that a 50-year-old was running a bar where my kid was allowed to get drunk.

On 03/30/12 26-year-old Jacob Jablonicky of Crystal Lake, Illinois was arrested for stealing and illegal use of a credit device. Jablonicky was living in Chesterfield with the manager of a local company. Unbeknown to his female manager roommate he obtained direct deposit information of other employees.



He then made two \$100 withdrawals from an employee's Bank of America account. The victim also lives in Chesterfield.

The victim basically solved this case. He talked to his boss and learned that her roommate at the Baxter Crossing Apartments had stolen money from her. The suspect also works at their office part time. She suspected he obtained employees direct deposit information. He went to the apartment and contacted the suspect and also called the police.

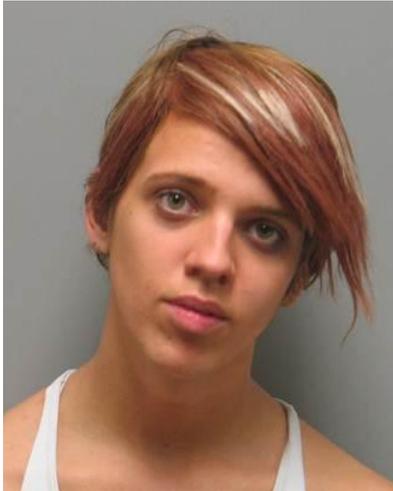
The police arrived and arrested the suspect who confessed. He was charged with two counts of stealing. He said he desperately needed money, but the investigating officer did not provide a motive of WHY HE NEEDED MONEYDESPERATELY.

On 02/07/13 he pled guilty and was placed on two 2-year Suspended Imposition of Sentence (No record) probation terms. He had also originally failed to appear on both charges. He was fined \$100 on each FTA charge.

I question if someone committing a bank fraud should be charged in muni court, but if you are going to charge him shouldn't you get a conviction that is on his record. A suspended execution of sentence conviction would have stayed on Jablonicky's record. Someone who steals banking information from a Chesterfield business and then steals money from a Chesterfield resident's account deserves to have an official record of conviction. Mr. Engelmeyer thinks differently.

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On 10/15/2009 17-year-old Nino Kulasin of St. Louis was arrested for six counts of stealing. Kulasin was part of a group of 4 (3 adults and one juvenile) who had spent three hours shoplifting from six different stores in Chesterfield Mall. The group of thieves was multi-racial but had one common thread besides their younger ages. They were all cross-dressers or transvestites



Kulasin confessed. At the time of his arrest he had in his possession a wire cutter commonly used to cut security devices off of garments.

On 12/06/12 he pled guilty to reduced charges of trespassing (fined \$227.50), two counts of littering (fined \$252 on each count) and to three counts of Failure to Appear (fined \$77.50 on each count) before Judge Judy Draper. He then failed to appear for a post-sentencing court date and failed to pay fines. A warrant was been issued for his arrest.

I was involved with a crossing dressing gang as a police officer. I was the first officer on the scene of a 10:15am armed robbery in progress call at the Gianni Versace store on Wisconsin Avenue in the business district of Chevy Chase, MD, two blocks north of Washington, DC. The gang of heavily armed transvestites and transsexuals (I'm not making this up) had been hitting high-end clothing stores up and down the East Coast. We were able box the suspects in a parking garage and had SWAT officers come in and make the arrests. I actually got a letter of commendation in the case.

To me this was a beginning of such a gang in Chesterfield.

Kulasin was not an isolated youth looking to steal one item from a store. He and his friends were looting stores in the Mall for over three hours. He confessed to being the leader of the group. He was not convicted of one count of stealing despite video

evidence, eyewitnesses and a confession. Prosecutor Engelmeyer did not believe city businesses would be better served if this thief had at least one conviction on his record.

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On 01/28/12 75-year-old Eugene Sronce of St. Peters was cited for Leaving the Scene of an Accident and Operating a Vehicle Without Insurance. Sronce struck the vehicle of Chesterfield resident Paul Summers on the Ramp from Olive onto WB I-64 causing sideswipe damage. Summers reported to police he followed Sronce on I-64 flashing his lights and honking for Sronce to stop.

When Sronce refused to stop, Summers returned to Chesterfield and reported the accident.

The investigating officer contacted Sronce, found his breath smelled of alcoholic beverage (of course it was impossible to prove he was under the influence at the time of the accident). Also Sronce had no insurance on his pickup truck that was involved in the accident. He was cited for Leaving the Scene of an Accident and No Insurance.

On 12/06/12 he pled guilty before Judy Draper and placed on a 6-month Suspended Imposition of Sentence (no record) probation term for Leaving the Scene of an Accident and fined \$197.50 for a reduced charge of Littering.

Sronce caused an accident with a city resident being the victim. He fled the scene refusing to stop and identify himself plus he had no insurance. Leaving the Scene of an Accident is a 6-point violation on a Municipal or County conviction. No Insurance is a 4-point violation. You would think he would have ended up with at least one point on his driving record after this incident. Of course you would be wrong. Prosecutor Engelmeyer agreed to a deal that resulted in no points on Sronce's driving record.

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On 06/05/2011 50-year-old Michelle Baker of 14957 Chateau Village Drive Chesterfield was arrested for DWI and Trespassing. She was so intoxicated at the time she was not booked at the police station but taken to St. Luke's where she was hospitalized.

Chesterfield Police responded to a call at 2377 Greenberry Hill Lane at 2:40pm after the resident reported a highly intoxicated woman had walked into his house. He called the police and walked her outside. Then he saw her car on the front lawn across from his house and recognized it as belonging at a house a few doors away. He then walked the woman home.

When officers arrived the resident pointed her out. She was standing on her porch with a bottle of vodka at her feet. She could not find her keys. Her car, a 1997 Pontiac was parked on a front lawn across from 2377 Greenberry Hill Lane, which was just a few doors from her house on Chateau Village Drive. She told the officer that her car was “malfunctioning”

She said she had left her house (which was for sale) at 11:00am with her dog because a realtor was going to show her house. She said she drove to Parkway West Middle School to walk her dog. She admitted to being an alcoholic and claimed to be in end-stage liver disease.

She stated she knew she shouldn't be driving. She stated that she walked into the house on Greenberry because it looked like hers even if it was on a different street and didn't have a for sale sign in front of it.

She was arrested for DWI and Trespassing. Instead of going to the police station for booking, she was taken to St. Luke's Hospital where it was found that her blood alcohol level was so high that she was admitted. Her BAC level was .37% at 2:15 in the afternoon.

On 10/03/12 she pled guilty and was fined \$500.50 for Careless and Reckless Driving and \$150.50 for trespassing by Judge Judy Draper.

On 09/08/11 Baker was arrested by the St. Peters PD for DWI. On 12/6/12 she pled guilty and was given a no-record suspended Imposition of Sentence 2-year probation term.

At the time of her plea she had another DWI pending, but she was allowed to plea to a lesser charge. In defense of the plea agreement the police report did not list anyone who actually saw her driving a car and it was by her admission that the car ended up in a front lawn. However Engelmeyer knew this when he issued a warrant for Baker's arrest 12/15/11. Of course of all the cases we reviewed this one actually involved Illegal Parking and the defendant was not convicted of it. How ironic.

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On 11/11/10 48-year-old Dr. Surendra Chaganti of Hamptons Way in Town and Country was arrested for DWI. Dr. Chaganti weaved into a lane and cut off a marked Chesterfield Police car. Officer Webb he decided to follow Changanti who was driving a 1999 Mercedes Benz, He continued to weave.

When Webb activated his lights and siren, Chaganti continue into a nearby apartment parking lot and pulled into a space and ran up on a curb.

Chaganti appeared to be highly intoxicated with all the usual clues of bloodshot eyes, slurred speech, smell of alcoholic beverage about him and that his balance was so unsure he was almost falling down at times.



Chaganti denied having anything to drink. He was then arrested and taken to the Chesterfield Police Station where he refused to answer questions or take a breath test.

Officer Webb reported that Chaganti was uncooperative and confrontational, accusing the officer of not knowing how to do the job of a police officer. He then accused the officer of being on the payroll of several people who were suing him.

On 02/25/2013 Dr. Chaganti pled guilty to Careless and Reckless Driving (fined \$500) and to Illegal Parking (fined \$500) before Judge Dennis Smith.

Dr. Chaganti had a past DWI arrest and breath test refusal, but Chesterfield prosecutor Tim Engelmeyer did not attempt to prosecute him after another DWI arrest.

Dr. Chaganti is well known from newspaper coverage from 2011 of when St. Louis County Health Department shut down a residential care facility in Wildwood owned by Chaganti's brother (a lawyer) where Dr. Chaganti was a staff psychiatrist.

In 2011 he received a moving violation ticket from the Highway Patrol in Warren County, Missouri. Chaganti pled guilty to a non-moving violation of a Loud Muffler and paid a \$249.50 fine, plus court costs.

He has also been the subject of two wrongful death lawsuits and was arrested for DWI in 2002. In the DWI case the arresting officer reported he refused to take a breath test. In 2001 he pled guilty to a Missouri Highway Patrol speeding 20 mph over the limit in Montgomery County.

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On 05/24/12 22-year-old Dante Devito of Chesterfield was accused of two counts of Destruction of Property. Chesterfield Police were called to the Shell gas station on Clayton Road. The dispatcher thought it was a hit and run action, but when police arrived and contacted an 18-year-old driver of a 2007 Chevrolet and her 17-year-old passenger they learned the call was about vandalism to a car.



Devito from facebook page.

Devito had an ongoing dispute with the girls over a personal relationship. The girls claimed that Devito had been in the gas station, saw them and then came running out and kicked the door to the car damaging it. The 17-year-old passenger reported that Devito had done a similar thing to her while she was driving her car.

The incident was caught on security video at the gas station. It showed Devito running out of the station and jumping and kicking the door of the car.

The driver said she told him, "You know this is on video, right?" She continued that he replied, "I don't care I own this Shell Station."

Unfortunately for him he didn't and the station management gave the police a DVD showing the incident.

Devito later came to the police station and admitted to the offense, claiming he thought the girls were following him to harass him.

On 02/07/13 Devito pled guilty to Littering (fined \$300.50) and Property Damage (fined \$125). Here was a non traffic case where an actual on-the-record conviction of the offense a defendant was charged with occurred.

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On 06/07/12 37-year-old Sharita Brown of St. Louis was cited for a moving violation after causing a traffic accident.

On 11/15/12 she pled guilty to Littering before Judge Judy Draper and was fined \$172.

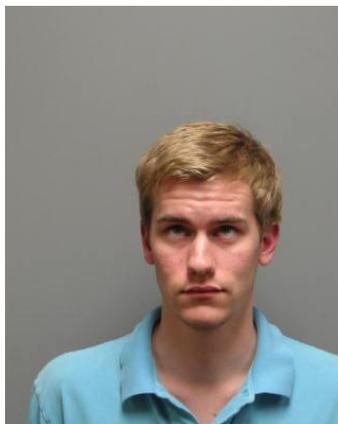
Once again city prosecutor does not amend a charge to a lesser and included offense but has the defendant pled guilty to an offense they never did.

On March 29, 2003 Brown was cited by the Phelps County Sheriff's office for speeding 16-19 MPH over the limit.

On April 23, 2013 a warrant charging Brown with Insurance Fraud was issued in St. Louis County. It apparently is the result of an incident that occurred in December of 2011.

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On 03/31/12 23-year-old Mark Barrett of Town and Country was arrested for DWI. He was observed leaving a parking lot at a high rate of speed before going east on I-64. Once police stopped the 2009 Infiniti the officer determined that Barrett and the passenger were intoxicated. The car belonged to the intoxicated passenger's parents.



Mark Barrett

Barrett failed the field sobriety tests. He was arrested. A sober driver responded to pick up the car and the intoxicated passenger.

At the police station Barrett refused to take a breath test.

On 11/29/12 he pled guilty to DWI and was given a one-year unsupervised Suspended Imposition of Sentence (no record) probation term. He also pled guilty to Illegal Parking and was fined \$400. He left court with no points on his driving record.

On 04/04/2006 he was sued over personal injury in connection with an auto accident. That case was settled.

Once again Engelmeyer had the driver not plead guilty to a lesser and included offense, but to a charge that he did not commit. Once again a citizen who mailed in a speeding ticket has a worse record than a dangerous drunk driver.

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On 05/10/12 37-year-old LaTonya Alexander of Hazelwood was arrested as a fugitive of Hazelwood and as a Fugitive of St. Louis and for Driving with a Suspended License, Driving Without Vehicle Insurance and with Expired License Plates. The 4-foot 11-inch Alexander was stopped for driving on expired Illinois license plates.



Latoya Alexander

The driving while suspended charge is a 12-point violation and driving with no insurance is a 4-point violation.

On 03/21/13 she pled guilty before Judge Dennis Smith to two counts of Illegal Parking and was fined \$250 and \$150.

Again city PA Tim Engelmeyer amended the charges not to a lesser included offense, such as “Op Motor Vehicle with No Valid Driver’s License” (a 2-point violation). Instead he has a person plead guilty to something they did not do that carries no points. .

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On 11/07/11 Lameia Sykes of Berkley was arrested with two other people who were shoplifting at stores in Chesterfield Mall.



Chesterfield police watched two female shoplifters leave the mall and enter a 2001 Ford Explorer operated by a third accomplice. Police stopped the vehicle and found stolen jewelry and clothes. One of the suspects had recently been banned from the Mall after being caught shoplifting. Skyes at first gave officers a false name and date of birth. Skyes admitted to have stolen the property.

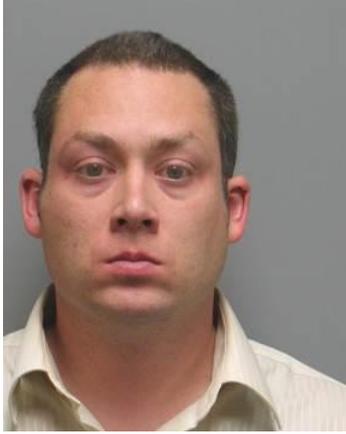
Sykes also had outstanding warrants held by other police agencies for similar offense.

On 09/20/12 before Judge Judy Draper she pled guilty to littering and was fined \$327. She never paid the fine and never returned to court to explain why she could not pay the fine. On January 11, 2013 a warrant for Failing to Appear was issued. She has not yet been arrested.

Here is a person who clearly is part of an organized theft ring, who attempted to use a false name and had pending charges elsewhere. All this were not signs enough to City PA Tim Engelmeyer that Sykes was not a good candidate for a plea agreement. He then had her pled guilty to an offense that she did not commit.

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On 12/03/11 33-year-old Michael P. Hill of Ballwin was arrested for DWI, Lane Weaving, Following Too closely, Possession of Marijuana and Possession of Drug Paraphernalia. Hill was stopped driving a 2010 Chrysler after he was observed lane weaving and following other vehicle too closely.



He had trouble locating his license and insurance cards. He appeared to be drunk, he failed field sobriety tests and was arrested. Hill asked that his car be left on the parking lot of Charlie Gitto's where he pulled into while being stopped.

The officer went to the car to retrieve Hill's wallet and to lock the vehicle. While getting Hill's wallet the officer observed in plain view a marijuana smoking pipe. He then found a bag a marijuana.

At the station Hill refused to take a breath test.

On 09/20/12 he pled guilty before Judge Judy Draper and received a one-year SIS (no record) probation term for DWI and the drug charge. He was fined \$375 for Illegal Parking and \$275 for Littering.

10 years earlier Hill had been arrested in St. Charles County for DWI at which time he refused to take a breath test.

Hill has appealed his license revocation for failing to take a breath test during the Chesterfield arrest for the last 18 months. The case has still not been heard.

Hill, a two-time DWI offender like most Chesterfield drunk drivers left the courthouse with no points on his driver's license, despite driving drunk, committing two other moving violations plus having evidence of drug use while in control of the car.

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On 10/29/11 Shelley Lynn Gardner of Chesterfield was arrested for DWI., Improper Lane Usage and Failure to Yield to an Emergency Vehicle. She also refused to take a breath test.



A Chesterfield Police Sergeant observed Gardner cross several lanes after making a turn onto on Olive Blvd.

He reported that he attempted to stop her but she failed to stop until she had turned on River Valley Drive and then onto River Way Drive.

Gardner appeared to be intoxicated. She was failing field sobriety tests when she stopped taking them, saying she wasn't going to do anymore and started to walk back to her Jeep Cherokee as if she was going to drive off. At this point she was arrested.

At the police station she refused to take a breath test.

On 09/20/12 she pled guilty before Judge Judy Draper and was fined \$500 for Careless Driving and \$250.50 for littering.

Her lawyer filled a suit against the Department of Revenue to stop the suspension of her license for failure to take a breath test. However the suit was filed using the first name of Shelly instead of Shelley. The court found in favor of DOR in July of 2012 when Gardner failed to appear in court. Two months later she did appear and pled guilty to the reduced charge of Littering.

On 01/16/93 Gardner had a Speeding Ticket which was reduced to Illegal Parking. She paid a \$50 fine. On 2/28/94 Gardner received a speeding ticket from the Missouri Highway Patrol for doing 84 MPH in a 70 zone. Two months later she pled guilty to another amended charge of Illegal Parking. This time she received a \$230 fine.

In this case a highly intoxicated person thanks to Tim Engelmeyer has no alcohol related driving conviction on her record.

On 01/11/12 and 02/13/12 and 03/29/12 Theodore Federer, Jr. (better known as T-Fed) was arrested for theft and minor in possession of liquor, giving false identity and destruction of property charges.

**On January 11, 2012** at 1:13am Chesterfield Police received a call from the Fox and Hound Tavern on Chesterfield Airport Road of a robbery that just occurred.

On arrival officers were told that a person had reached over a counter and stolen money from the cash register. The suspect was confronted and at first denied stealing. He then threw the money down on the counter. He was then told to pay his bar bill and threw down three \$1 bills and left.

It was lightly raining outside. About two hours later police observed a person matching the description of the suspect from the Fox and Hound at the BP Station. He was being picked up by a person who turned out to be his sister. The male was 20-year-old Theodore Federer of Chesterfield. He was wet as if he had been out in the rain.

The woman said she was his sister. That she had been called by her brother at 2:50am and he asked her to pick him up. She got dressed and drove to the BP station.

Federer was arrested and taken to the police station where Fox and Hound employees picked his photo from a photo lineup. He was charged with Theft Under \$500.



**On Monday February 12, 2012** at 10:05 Chesterfield Police responded to a call of a suspicious occupied vehicle on a residential street in front of 1141 Greystone Manor Parkway, which happens to be just around the corner from Theodore Federer's house.

When the police arrived four males exited the vehicle and began to walk away. The officer ordered them to stop. He found they all appeared to have been drinking. They all

denied drinking and denied there were any bottles of alcoholic beverage in the vehicle, a large GMC SUV.

They were all asked their names. When Theodore Federer was asked he gave his name as Nicholas Pontello with a date of birth that would make him 22-years of age. Police officers ran the name and date of birth given by Federer and found outstanding warrants for the real Nick Pontello. They then checked a computer data base and found photos of Pontello that did not match Federer. They then arrested Federer for giving false information.

Inside the SUV they found a case of beer that included open beer cans and a bottle of rum.

Federer was arrested and transported to the Chesterfield Police Department. During the ride he yelled and shouted obscenities at the officer and demanded to know if the Chesterfield Police did not have anything better to do than hassle a few underage kids with some beer.

Federer has charged with Providing False Information and Minor in Possession.

**On Thursday March 29, 2012 at 4:30pm** Federer was involved in a robbery at the Wal-Mart store in Chesterfield which the police incorrectly classified as a shoplifting.

Store security observed Federer put a bottle of Jack Daniels Whiskey down his pants. They then observed him walk to a cash register and pay for a bottle of Coke and leave the store without paying for the whiskey.

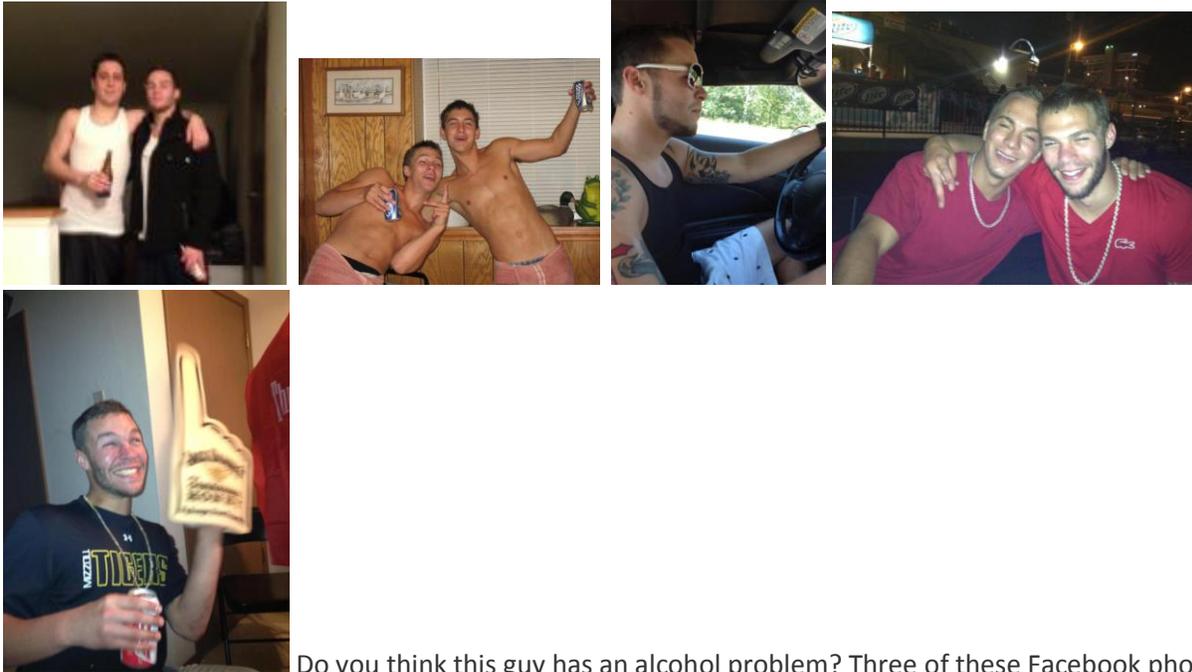
Federer was stopped outside the store by security at which time he handed over the stolen whiskey, but he refused to return to the store and wait for the police. He began fighting the security officer. As soon as he began resisting and fighting the security officer the event escalated from a shoplifting to a robbery. However the Chesterfield Police never reclassified the event. During the scuffle the bottle of Jack Daniels broke after Federer knocked it out of the store detective's hand.

During the fight Federer fled and ran across the street, running out of one of his shoes. Police received calls from motorists seeing him on I-64 and then on the service road by the ice complex where he was picked up by someone in a black SUV. Police had the license number of the vehicle which checked to a house in Ellisville. Ellisville Police found the vehicle and arrested Federer.

The theft of the whiskey was captured on video and Federer was identified by matching the video suspect image to mug shots.

Federer was refused to make a statement. He was booked for theft and destruction of property. (Again we believe he should have been charged with Robbery.)

After Chesterfield city warrants were issued for his arrest. He was arrested again on the Chesterfield warrants in St. Charles.



Do you think this guy has an alcohol problem? Three of these Facebook photos include him holding a beer, one in front of Miller Light signs where he appears drunk and another one with a beer and a Jack Daniels Number-One foam finger.

Here is Ted's arrest and citation record that we could find using internet searches. .

11-02-12	State of Missouri files Forfeiture Papers	St. Louis County Prosecutor
10-23-12	2001 Audi and \$8,975 in cash seized as profits of illegal activity	St. Louis County Police
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

**On 02/07/13** he pled guilty to three counts of Littering (\$300, \$300 and \$200 fines), two counts of trespass (fines \$300 and \$123.50) and Give False Info to an Officer (\$123 fine) before Judge Dennis Smith.

Timothy Engelmeyer reduced a till tapping theft of a local merchant to littering. He reduced an offense that the cops already had reduced from a robbery to theft down to littering. Federer who was clearly a menace to local merchants and the public at large while committing crimes in open business has not one conviction of relating to any of his serious offenses.

In three months Federer caused the Chesterfield Police hours and hours on call responses, investigations, crime scene processing and report writing. The police generated 35 pages of police reports on Federer in the three month period. Engelmeyer looked after the safety and welfare of merchants and rewarded the hard work of the police by reducing their charges to littering violations.

After I first wrote about Federer in November and December in this newsletter, I received a telephone call from Federer's father. He said I was being unfair to his son. He said one theft charge (the till tapping) was just the boy trying to skip out on a bar bill.

He added that the other theft was only a minor shoplifting. Mr. Federer is lucky that his son is not in the County Jail awaiting trial for two felonies.

As I wrote in my December newsletter about this problem, one West County area police captain was well aware of city judges and prosecutors letting DWI suspects go with no record. But he keeps demanding his officers do a thorough job in arresting them and writing reports.

"My position is I want our officers to do the best job the possibly can so when the Post-Dispatch shows up they can't blame it (drunks drivers getting off) on us (the cops)."