

## ARREST REPORT

A G E N C Y	Agency Name <b>Morganton Department Public Safety</b>		ORI <b>0120100 B0003</b>		Date/Time Arrested <b>09/06/2014 03:01</b>		OCA <b>201405924</b>					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract <b>6400</b>		Residence Tract <b>9999</b>		Arrest Number <b>107008</b>				
A R R E S T E E	Name (Last, First, Middle) <b>TUCKER, JEFFERY DEAN</b>			D.O.B. <b>12/29/1965</b>	Age <b>48</b>	Race <b>W</b>	Sex <b>M</b>	Place of Birth	Country of Citizenship			
	Current Address <b>3929 Goodson Rd, MAIDEN, NC 28650</b>			Phone		Occupation		<input type="checkbox"/> Resident <input checked="" type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name <b>SELF EMPLOYED</b>			Address			Phone					
	Also Known As (Alias Names)			Hgt <b>5'11</b>	Wgt <b>190</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Skin Tone <b>MED</b>	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk			
	Scars, Marks, Tattoos			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name			Address			Phone					
A R R E S T	If Armed, Type of Weapon <b>NOT APPLICABLE/NONE</b>		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warrant		Place of Arrest <b>139 W UNION ST, MORGANTON</b>							
	Charge #1 <b>Dwi</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>2100</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>20-138.1</b>	Warr. Date <b>09/06/2014</b>			
	Charge #2 <b>Open Container After Consuming</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>2100</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>20-138.7(A)</b>	Warr. Date			
	Charge #3 <b>Driving During Revocation</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>4010</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>20-28(A)</b>	Warr. Date <b>09/06/2014</b>			
V E H I C L E	VYR <b>1996</b>	Make <b>CHEV</b>	Model <b>VAN</b>	Style <b>VAN</b>	Color <b>WHI/WHI</b>	Plate #/State <b>BLX6950 NC 2014</b>	VIN <b>1GCHG39K8TF112020</b>					
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time <b>09/06/2014 00:00</b> 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other <b>ZSZD</b> 3. <input type="checkbox"/> Impounded <input checked="" type="checkbox"/> Place of storage <b>BUFFS BODY SHOP</b> Inventory on File? <b>Y</b>											
C O N F I N E D	Date/Time Confined <b>09/06/2014 07:30:00</b>		Place Confined <b>BURKE/CATAWBA JAIL</b>			Committing Magistrate <b>R.A. CLARK</b>						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input checked="" type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other		Bond Amount <b>\$2,400.00</b>	Trial Date <b>09/24/2014 09:00</b>		Court Of <b>District</b>		City <b>MORGANTON</b>				
	Assisting Officer Name/ID # <b>EDWARDS, W. D. 4</b>			Released By (Name/Department/ID #)			Date/Time Released					
Status Codes	L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found											
D R U G S	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each					
							Possess	Buy	Sale	Mfg.	Importing	Operating
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>			Address				Phone:				
	On the above date and time I responded to the back parking lot of Root and Vine to assist Sgt Lackey with a vehicle stop. When I arrived Sgt Lackey had the driver, Jefferey Dean Tucker outside of the vehicle talking to him. The vehicle Tucker was driving was a 1997 white Chevrolet van. Tucker was dressed in a tan short sleeve button down shirt, shorts and tennis shoes. When I walked up to Tucker I could smell an odor of alcohol coming from his person. Sgt Lackey asked <div style="text-align: right;">** Continued **</div>											
S T A T U S	Arresting Officer Signature/ID # <b>PUCKETT, K. M. (P3229)</b>			Date/Time Submitted <b>09/06/2014 03:01</b>			Supervisor Signature <b>LACKEY, W. D.</b>					
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation			Arrestee Signature						

# ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
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Arrestee Name	Arrest Number		
TUCKER, JEFFERY DEAN	107008		

him to give a breath sample into an Alcosensor and he agreed. It registered a .11. I then asked Tucker what he had to drink and he stated three or four beers around 4 hours ago. I asked Tucker if he would preform field sobriety tests and he agreed. Tucker told me that he had an injury to his right achilles tendon and that he has to sometimes limp but that he could walk down a hall or up stairs.

I asked Tucker to preform the horizontal gaze nystagmus (HGN), the walk and turn, one leg stand, and the Rhomberg balance test.

During the HGN Tucker displayed two clues, maximum deviation and onset prior to 45 degrees, in each eye. During the walk and turn test Tucker took a total of 17 steps during the first set of 9 steps. He also stepped off of the line at step 2,6,7,8 and missed heel to toe 5,6,8 during the first set of steps. At the end of the 17 steps he took, Tucker looked at me and asked what to do next and said he lost track of how many steps he took. I told Tucker to do as I explained and take 9 more steps back. On the next set of steps Tucker only took 5 steps back and said he could not do anymore. In those 5 steps he stepped off line on step 2 and 3 and missed heel to toe on step 2,3,4. At the beginning of the test Tucker told me he believed he could do the test with no problems. Also at the beginning of the instruction stage, when I told Tucker how to stand while I was explaining the test, he asked me if I wanted him to wobble like I did while I was explaining it. During the one leg stand test after I explained the test and demonstrated, Tucker asked me again if I wanted him to wobble like I did while explaining it. I then told him to do as I instructed and asked if he understood. Tucker used his arms for balance, hopped, and put his foot down several times. Tucker also did not preform the test as long as I instructed, he told me that he could not go any longer because of his injury. At the beginning of the test Tucker told me that as long as he picked the injured ankle up and did not have to stand on it for a long period of time then he could do it. During the Rhomberg balance test Tucker estimated 21 seconds as 30 seconds.

I then placed Tucker under arrest for driving while impaired.

While I was conducted the field sobriety tests PSO Huffman, PSO Edwards, and Sgt Lackey searched the vehicle. Bottles of wine, Jim Beam, Jager, and beer were all found opened in the vehicle. Marijuana was also found in the vehicle.

Sgt Lackey then called for Buffs Towing to tow the vehicle because Tuckers drivers license were suspended for driving while impaired. The van was then seized at 4:07 AM and Buffs Towing took the vehicle.

I then transported Tucker to Morganton Public Safety Headquarters. I then read Tucker his chemical rights and requested him to submit to a blood draw. He refused right away. Several minutes after he refused he asked if he could make a phone call. Even though he already refused the blood draw and did not request to call a witness or attorney after I read him his rights, I still let him make a phone call. I then transported Tucker to the Burke County Magistrates Office where I sought a search warrant to draw his blood. Once I was granted the search warrant I transported Tucker to CMC Morganton where Ashley Ward drew his blood in the lab. During the entire time Tucker said he thought this was America and that we should not be able to draw his blood with no consent.

After his blood was drawn and the paper work was completed, I transported Tucker back to the Burke County Magistrates Office. On the way to the Magistrates Office Tucker immediately fell asleep in the back seat of my patrol car. Once we got to the Magistrates Office Tucker fell back asleep while sitting up in the chair. While the Magistrate was in the process of doing paper work Tucker fell out of his chair into the floor as if he passed out. When Tucker fell out of the chair he somehow broke his fall and did not injure himself. Tucker would not respond to me for several seconds so I called for Burke County EMS to run emergency traffic. Before EMS arrived I done a sternum rub on Tucker and he opened his eyes and looked at me. He then said "lady sometimes I just black out, I think my blood pressure dropped." Once EMS arrived they checked his vitals and blood sugar and told him everything was good and they found nothing wrong with his heart rate, blood pressure and blood sugar. Once EMS was finished being checked by EMS the Magistrate came out into the lobby and advised him of his charges, bond, court date, and seized vehicle. I charged Tucker with open container, driving while license revoked and driving while impaired.

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Tucker then said he wanted to find out what was wrong with him so he wanted to be transported to the hospital. I then rode with Tucker and EMS to CMC Morganton. Tucker was then evaluated there.

PSO Gibbs sat with Tucker while he was at CMC Morganton and then transported him to Burke/Catawba Jail where he was confined around 7:00AM.

During the time I had Tucker in custody, he would limp sometimes and then sometimes walk like nothing was wrong with his ankle/achilles tendon.

All information was updated for this report.