

## 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>07/19/2014 03:36</b>		OCA <b>201404693</b>					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract <b>4101</b>		Residence Tract <b>9999</b>		Arrest Number <b>105754</b>				
A R R E S T E E	Name (Last, First, Middle) <b>BENFIELD, MARCUS ANTWONE</b>			D.O.B. <b>10/17/1984</b>		Age <b>29</b>	Race <b>B</b>	Sex <b>M</b>	Place of Birth <b>BURKE, NC</b>	Country of Citizenship <b>US</b>		
	Current Address <b>4841 Cobble Creek Cir Apt F, WINSTON SALEM, NC</b>			Phone <b>828-413-3676</b>		Occupation <b>Unemployed</b>		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name <b>UNEMPLOYED</b>			Address			Phone					
	Also Known As (Alias Names)			Hgt <b>6'00</b>	Wgt <b>200</b>	Hair <b>BLK</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 <b>TATT LOWL ARM; TATT UPPR ARM</b>			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name <b>BENFIELD, RITA</b>			Address <b>809 W UNION ST APT B, MORGANTON, NC</b>				Phone <b>828-433-6490</b>				
A R R E S T	If Armed, Type of Weapon <b>HANDGUN</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>849 BURKEMONT AV/HOPEWELL RD,</b>						
	Charge #1 <b>Ccw</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>1530</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>14-269(A)</b>	Warr. Date <b>07/19/2014</b>			
	Charge #2 <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			
	Charge #3		<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	Warr. Date			
V E H I C L E	VYR <b>2009</b>	Make <b>DODG</b>	Model <b>CHARGER</b>	Style <b>4S</b>	Color <b>SILV/SIL</b>	Plate #/State <b>ACY5958 NC 2015</b>	VIN <b>2B3LA33V99H525894</b>					
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time <b>07/20/2014 00:00</b> 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other 3. <input checked="" type="checkbox"/> Impounded <input checked="" type="checkbox"/> Place of storage <b>A&amp;T AUTO REPAIR &amp; TOWING</b> Inventory on File? <b>Y</b>											
C O N F I N E D	Date/Time Confined		Place Confined <b>NOT CONFINED</b>			Committing Magistrate <b>ERIC DUCKWORTH</b>						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input type="checkbox"/> Secured <input type="checkbox"/> No Bond <input checked="" type="checkbox"/> Other		Bond Amount <b>\$0.00</b>	Trial Date <b>11/17/2014 09:00</b>		Court Of <b>District</b>		City <b>MORGANTON</b>				
	Assisting Officer Name/ID # <b>VUE, T. N. 2</b>			Released By (Name/Department/ID #) <b>HUFFMAN, S. J.</b>			Date/Time Released <b>07/19/2014 05:15:00</b>					
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 July 19, 2014, at 3:36am, I initiated a traffic stop on a silver Dodge Charger. I was traveling behind the vehicle when it pulled to the outside right turn lane and stopped at the green light at the entrance to Morganton Heights. The vehicle sat there for approximately 20 seconds before the driver placed the left turn signal on and traveled back onto the straight lane on W Fleming Dr. toward Burkemont Ave. This activity was very suspicious to me because I was just											
S T A T U S	Arresting Officer Signature/ID # <b>HUFFMAN, S. J. (H1980)</b>			Date/Time Submitted <b>07/19/2014 03:36</b>			Supervisor Signature <b>BUCHANAN, J. B.</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						

\*\* Continued \*\*

**ARREST REPORT (Additional Narrative)**

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<b>Morganton Department Public Safety</b>	<b>0120100 B0003</b>	<b>07/19/2014 03:36</b>	<b>201404693</b>
Arrestee Name	Arrest Number		
<b>BENFIELD, MARCUS ANTWONE</b>	<b>105754</b>		

traveling behind the vehicle, and did not initiate my red and blue lights or hit my siren. I followed the vehicle as it made right turn on Burkemont Ave, it continuously and consecutively weaved in its lane of travel. I initiated my red and blue lights just shy of Hopewell Rd. The driver pulled the vehicle on to Hopewell Rd sitting in the travel lane, when it was just 10 yards from the entrance of the PVA of Station 3. I approached the vehicle and smelled a strong odor of alcoholic beverage coming from the vehicle. The driver, Marcus Benfield, had red glassy eyes as I was asking him for his license and registration. I began asking the other passengers for their identification as I do every traffic stop. While asking the passengers for their ID, Benfield stopped looking for his license and began focusing on me. I asked Benfield again for his license and registration. As he was looking for his license, I asked him how much alcoholic beverages he had to drink. Benfield stopped looking for his license and stated he drank one beer earlier. Due to such strong odor coming from the vehicle and inability to multitask, I had Benfield step out of the vehicle and walk to the front of my Tahoe. Several times, I had to remind Benfield to keep his hands on my Tahoe, while I was conducting a terry frisk. While I was conducting my terry frisk, Benfield just kept stating, "I do not need this to happen to me, I just got married." I could smell a moderate odor of alcoholic beverage about his breath as he made this statement several times. I asked Benfield if he would consent to alcosensor screening, he consented which resulted in a positive reading. I asked Benfield if he would consent to a battery of SFSTs, he consented which performed poorly. Due to Benfield's red glassy eyes, moderate odor of alcoholic beverage about his breath, suspicious driving, performing battery of SFSTs poorly, I believed he consumed a sufficient quantity of an impairing substance that his mental and physical facilities were appreciably impaired. I placed him under arrest for DWI and placed him in the back of my Tahoe.

PSO Vue, and PSO Connor assisted in getting the passengers out of the vehicle to conduct a probable cause search of the vehicle. Upon searching the vehicle, a handgun, Ruger S40 serial# 342-31380, was located in a pistol box underneath the front passenger seat, with in reach of the back seat passenger, with a magazine seated in the gun, and 13 rounds of S&W 40 caliber bullets loaded in magazine. There was a passenger sitting right where the gun box was, so if he wanted to harm me or the other officers, he just have to flip open the box and utilize the weapon. Also upon searching I found a bookbag, containing several small baggies, and a set of scales. Benfield admitted to the gun being his and stated he thought it was ok to conceal the weapon away from officers. I transported Benfield to Burke Catawba where I asked him to consent to a chemical analysis of his breath, he consented which resulted in .07BAC. I transported Benfield to the Magistrate's Office where Magistrate Duckworth determined no probable cause for DWI. I issued Benfield a citation for CCW and released him.