

## 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>06/14/2014 02:02</b>		OCA <b>201403777</b>					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract <b>1300</b>		Residence Tract <b>2500</b>		Arrest Number <b>104891</b>				
A R R E S T E E	Name (Last, First, Middle) <b>GONZALEZ, SANTOS HILARIO</b>			D.O.B. <b>08/12/1992</b>	Age <b>21</b>	Race <b>H</b>	Sex <b>M</b>	Place of Birth <b>GUATIMALA,</b>	Country of Citizenship <b>GT</b>			
	Current Address <b>107 Evans St, MORGANTON, NC 28655</b>			Phone <b>828-475-9630</b>		Occupation <b>Laboror</b>		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name <b>AGRICULTURE</b>			Address				Phone				
	Also Known As (Alias Names)			Hgt <b>5'02</b>	Wgt <b>120</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>	Skin Tone	Consumed Drug/Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk			
	Scars, Marks, Tattoos <b>TATT LEFT ARM / PRAYING HANDS WITH A</b>			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name <b>PEC,JULIO</b>			Address <b>UNKNOWN</b>				Phone <b>828-430-7311</b>				
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>699 JAMESTOWN RD/HOLLAND DR,</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>06/14/2014</b>				
	Charge #2	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	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>2002</b>	Make <b>TOYT</b>	Model <b>CAMRY</b>	Style <b>4D</b>	Color <b>BRO/BR</b>	Plate #/State <b>CBK4488 NC 0</b>	VIN <b>JTDBE32K120017001</b>					
	Vehicle 1. <input checked="" type="checkbox"/> Left at Scene <input checked="" type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time <b>06/14/2014 00:00</b> 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input type="checkbox"/> Impounded <input type="checkbox"/> Place of storage _____ Inventory on File? _____											
C O N F I N E D	Date/Time Confined		Place Confined <b>NOT CONFINED</b>			Committing Magistrate <b>LYNN WEBB</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>10/27/2014 09:00</b>		Court Of <b>District</b> City <b>MORGANTON</b>						
	Assisting Officer Name/ID # <b>0</b>			Released By (Name/Department/ID #) <b>HALL, T. L.</b>			Date/Time Released <b>06/15/2014 05:45:00</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 type="checkbox"/> Victim <input checked="" type="checkbox"/>			Address				Phone:				
	On the above date and time, I was traveling on Independence Blvd when I looked in my driver side mirror at a car passing by me going in the opposite direction. I noticed that the vehicle's tag light was out. I turned around to get behind the vehicle and I ran the license plate number through DCI. The registered owner of the vehicle had an expired operators license. As I was behind the vehicle I noticed that the vehicle touched the middle yellow line in the road just in											
S T A T U S	Arresting Officer Signature/ID # <b>HALL, T. L. (H5414)</b>			Date/Time Submitted <b>06/15/2014 20:40</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)**

Agency Name	ORI	Date/Time Arrested	OCA
<b>Morganton Department Public Safety</b>	<b>0120100 B0003</b>	<b>06/14/2014 02:02</b>	<b>201403777</b>
Arrestee Name			Arrest Number
<b>GONZALEZ, SANTOS HILARIO</b>			<b>104891</b>

front of the Carbon Plant on Jamestown Rd. I initiated my blue lights at the top of the hill expecting the vehicle to pull off to the side of the road at Dixie Blvd. The vehicle did not stop at Dixie Blvd. but did hit the brakes as soon as I initiated my blue lights. The operator of the vehicle kept his foot on the brakes the entire time as he drove past Dixie Blvd. and continued to drive past Holland Dr. approximately a little less than a fourth of a mile past Dixie Blvd. The operator turned on the hazard lights and pulled off to the side of the road a little above Holland Dr. It came to my attention that the vehicle did not completely pull off of the road as the two driver side tires were still on the white line of the roadway.

When I approached the driver's side of the vehicle and made contact with the driver I noticed that the operator would not make eye contact with me and was also sweating profusely. I asked the operator for his license and he stated that he did not have a license. The operator handed me an ID card showing me that the operator's name was Santos Gonzalez. I asked Gonzalez where he was headed and the passenger said we are going to a friends house. I then asked Gonzalez where he was coming from and when he began to speak the passenger, Juan Hernandez, said something but his English was very limited and I could not understand him. I could smell an odor of alcohol coming from the vehicle and I asked if the subjects had been drinking tonight and that is when Hernandez stated that he had been drinking but the driver had nothing to drink that night.

I went back to my vehicle and printed out a citation for the driver for no operators license when my back up officer had just arrived. I went back to the vehicle and approached from the passenger side of the vehicle to speak with the passenger while my back up officer, PSO Gragg, went to the drivers side to ask the Gonzalez subject what his address was. I then noticed a box at the Hernandez's feet that was labeled "Corona". I could tell that the box had already been opened from the top. I asked Hernandez if he would open up the box to show me the inside of it. Hernandez opened the door and put the box on the ground outside of the vehicle and opened it for me. Inside the case of beer was a fully consumed alcoholic beverage. I then went back to the vehicle and called for a unit with an alcosensor to meet me at that location and proceeded with writing a citation to the Hernandez subject for having an open container in the passenger side of the vehicle, while I waited for the unit with the alcosensor to arrive.

PSO Z. Llyod arrived shortly after and we had both the driver and passenger exit the vehicle. The driver submitted to an alcosensor test administered by PSO Llyod and the first test that was ran Gonzalez spit into the alcosensor test as he was blowing and the reading came back to be .22. PSO Llyod then administered another test and the reading was .15. PSO Llyod gave Gonzalez one more attempt at the alcosensor and it read .14. I then attempted to give Gonzalez SFST's. I started with the Horizontal Nystagmus Test (HGN) but it did not seem that he was understanding my directions. I stopped the test and advised dispatch that I would be en route to Burke Catawba to have PSO Llyod to administer the breathalyzer and I advised dispatch to have a spanish interpreter en route to Burke Catawba as well. I then explained to Hernandez that he was being charged with having an open container in the passenger side of a motor vehicle, advised him of his court date and asked if he understood. Hernandez said yes. I moved the vehicle off of the road and the Hernandez said that someone would be by to pick up the car shortly and he left the area walking.

The subjects rights were read at Burke Catawba and was asked if understood at which point Gonzales said yes. PSO Llyod then gave Gonzalez the breathalyzer test twice but neither of them were taken due to the subject not breathing through the tube sufficiently. I then transported him to CMC Morganton to have blood drawn. After having the blood packaged we were en route to the Magistrate's Office where the subject had family waiting. I gave SFST's to Gonzalez with the interpreter there to assist me, which he did poorly. I explained the stop to Magistrate Webb and he gave the Gonzalez subject a custody release.