

TOWNSHIP OF HAMILTON POLICE DEPARTMENT DRINKING-DRIVING REPORT CONTINUATION	(1) DEFENDANT	First Name Jason	Initial D	Last Name Dare
	Violation Date December 16, 2011	Summons Number 205277		

CASE NUMBER
11-44668

At Call:

On December 16, 2011 at approximately 1:48 am Dispatch received call from 6339 Harding Hwy. The resident stated that they had heard a vehicle go off the roadway and into the woods in the area of CR. 552 and Rt. 40. Patrol was dispatched to the area to check for a motor vehicle accident (MVA).

Officer Esposito (A-1) was first to arrive on scene moments after he had arrived officer Esposito confirmed the MVA and was requesting a back-up officer for a suspected DWI. See Officer Esposito's supplemental report for further details. Officer Lee, Officer Rudolph and I were already en-route. Officer Lee and Officer Rudolph had arrived prior to my arrival and were at the subjects vehicle when I pulled up.

On Location:

observed a gray Dodge pick up truck bearing New Jersey registration [redacted] off the road on the eastbound shoulder on the "one way" portion of the CR 552 off ramp. The vehicle had extensive front end damage and was stuck in the mud on the shoulder. It also appeared as if the driver had attempted to get the truck free from the mud as the rear tires were "caked" with mud as if they had been spinning in reverse.

Officer Rudolph approached me as I was exiting my Patrol vehicle. Officer Rudolph advised that there were no injuries and that the driver of the vehicle was highly intoxicated. Officer Rudolph also advised that the driver had identified himself as a State Trooper (Jason Dare). I advised Officer Rudolph that if Dare was intoxicated that we needed to do our job and to continue with the DWI procedure (Field Sobriety Testing). I instructed Officer Lee to perform the Field Sobriety Testing. See his supplemental report for further details.

After the testing Dare was placed under arrest for DWI; Officer Esposito placed him into custody and secured him in the rear of his patrol vehicle. Officer Esposito and I conducted a search of the vehicle and recovered an off duty weapon (.380 Ruger) in the center console. The Ruger had a clip of (6) bullets nothing in the chamber and was secured in a nylon holster. The weapon was emptied and held for safe keeping. See completed Property Report. Also, in the rear seat I observed an empty cardboard six pack of "Mad Elf" beer no additional evidence was recovered. Officer Lee remained on scene for the tow, per "Johns Law". I headed back to the station with Officer Esposito.

At The Station:

contacted my supervisor (Captain Petuskey) per our departmental policy involving the arrest of a law enforcement officer. Captain Petuskey was advised of the situation and instructed me to contact the State Police Troop (A) station Commander. Prior to contacting the State Police I was advised by Officer Esposito that Dare's response after the Breathalyzer Statement was " I have no idea what is going on". Officer Esposito stated that he then read the second paragraph to Dare and received the same type of response. Officer Esposito stated that he had dispatch send rescue to the station for an evaluation. After the evaluation rescue could not find anything that would indicate that there was a problem with Dare. Dare was cleared and did not want any further medical attention.

met with Dare in the cell room and advised him that if he was having trouble figuring out what was going on that he should go to the hospital for further testing and that we would draw blood there. Dare became very agitated with my statement and said that this is all because of the "Hard on" that your department has for my brother. I advised him that this was about him wrecking his truck while being intoxicated and nothing more. Dare stated, "Fuck this I understand, and I am not taking your test or giving any blood, charge me with the refusal and let me get the fuck out of here". I advised him that we would take him to the hospital in order for him to be examined by a doctor. He stated, "Fuck you and you better watch your back". I asked if he was threatening me and he stated, "Take it however you want". Dare continued to ramble on about his brother and how this department is trying to fuck him. During this I could easily detect a strong odor of an alcoholic beverage coming from his breath as well as the obvious hurring of his words. Based on my experience I believe that Dare's irrational statements as well as the threatening tone in his voice was consistent with an individual that is under the influence of alcohol.

contacted Captain Petuskey regarding the current allegations and threat. Captain Petuskey advised me that he would be responding to the station and would deal directly with Dare. See Captain Petuskey supplemental report for further details.

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(33) Title/Name Sergeant Gehring	Signature	TimeTrac	Office Number 39	(39) Reviewed By
(40) Date To Appear 1/21/11	(41) Amended Court Dates	(42) 39:4-50.2 Disposition & Date	(43) 39:4-50 Disposition & Date	