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July 15, 2014

Walter M. Luers, Esq.
23 West Main Street
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**Re: John Paff vs. Egg Harbor Township et al,
Docket No. ATL-008976-11
File # 395-11**

Dear Counsel:

Pursuant to the Court Orders entered in the above-referenced matter, I have attached a redacted copy of the Sergeant's report.

Very truly yours,

Marc Friedman

Marc Friedman

MF/tmf

Enclosure

cc: Peter Miller, Township Administrator

B

TO: Capt. J. Woods #1573

THROUGH: Lt. J. Druding #15103

FROM: Sgt. M. Hughes #1595 *MH 1595*

RE: Off duty incident involving Ptlm. J. Lancaster #15139

Sir,

On Thursday, February 17, 2011 at approximately 2:08 A.M. I was contacted via police radio by EHTPD Dispatcher Pratts who requested I contact him via telephone. Prior to me contacting Pratts, he contacted me via I-Call and advised me that Northfield P.D. was out with Ptlm. J. Lancaster #15139 and wanted to know if he was still employed with our agency. I was then advised that they were requesting me to contact them. It was reported that Lancaster had AOB but then I was advised there was no AOB. I then asked Pratts if the Northfield unit wanted me to respond directly to their location and they advised yes. The location was reported to be Tilton/Mill & Shore.

Upon arrival I observed Ptlm. Peary & Ptlm. Geiger of the Northfield P.D. standing at the rear of one of their patrol cars and Lancaster standing at the front of this same patrol car. Peary & Geiger approached me and Peary told me that he pulled up to the traffic light at this intersection and was the seventh or eighth car in line and Lancaster's car was first in line S/B on Shore Rd. The light turned green but Lancaster did not move. Several of the motorists started blowing their horns but Lancaster's car did not move. Peary pulled around the traffic and got in behind Lancaster's car and approached same.

When Peary got up to the driver's side window of Lancaster's car, he found Lancaster asleep at the wheel with his head slumped down towards the steering wheel. The car was in drive with his foot on the brake. Peary was banging on the window but did not get any response from Lancaster. He shook the car and still got no response. He was just about to smash the window because he thought something may be wrong with him medically but Lancaster moved and acknowledged Peary's presence. Peary ordered him to move the car into the parking lot of the auto service shop on the N/E corner of the intersection.

Peary who was now backed up by Geiger, pulled in behind Lancaster and started to speak to him. Lancaster did not know where he was or where he was going. He said that he was tired and worked a double shift. Peary stated that he was not going to allow Lancaster to drive and asked if I would drive him home. He said that he did not smell any AOB and did not want him driving because of his actions and how tired he looked. I advised him that I would transport him home.

Peary stated to me that he was going to move Lancaster's car to the rear of his police H.Q.'s which was right up the street and take possession of the keys. He said Lancaster could come to his station later today to pick up the keys and the car. I noted that the vehicle Lancaster was operating was a

2005 Mercedes Benz C230 4-door blue in color bearing ZJH72K-NJ. I then exited my patrol vehicle and moved my equipment bag to the rear seat of my vehicle. Peary gave me a back pack that was inside Lancaster's vehicle and it was also placed in the rear of my vehicle. I then asked Lancaster to come over to my vehicle and get into the front passenger seat. As Lancaster walked to my vehicle he was staggering and had to hold on to the side of the Northfield patrol car then the side of my patrol vehicle to keep from falling. Lancaster never said anything to me and climbed into my patrol vehicle.

I thanked Peary & Geiger and told them that I would tell Lancaster where his car & keys were and how he could get them back. I utilized my MDT to run Lancaster's tag to find out what his address was. The MDT returned the following address:

[REDACTED]
[REDACTED]

I then asked Lancaster to buckle his seatbelt but he just sat there. I asked him again to buckle his seatbelt and he again just sat there. I asked Lancaster a third time to buckle his seatbelt but nudged his arm. He then attempted to buckle the seatbelt but had a lot of difficulty in trying to do this. I then turned on my dome light and it still took him nearly two (2) minutes to get the seatbelt buckled. Once he was safely buckled I started the transport to his residence. As I was driving, A strong odor of an alcoholic beverage was emanating from Lancaster as he was breathing heavily.

Lancaster was silent the whole trip up to [REDACTED]. When I looked over at him, he was slumped over towards my center console, asleep. He was snoring and was drooling from the mouth. Once I arrived [REDACTED] I asked Lancaster where his residence was, he was still asleep and would not wake up. I again had to nudge him to wake him up. I again asked him where his residence was and he just stared out the front windshield. I asked a third time for him to tell me where his residence was. He finally woke up enough and directed me to his home.

Once I pulled into his driveway I exited my patrol vehicle and walked around to the passenger side of the vehicle to let Lancaster out. He climbed out of the vehicle and stood there. He was swaying, his eyes were bloodshot & watery and he was barely awake. I retrieved his backpack and handed it to him. I asked him when he was to report back to duty and he told me 4:00 P.M. I asked him if that meant later today and he said yes. I asked him who he is currently reporting to and he said I guess Sgt. Chambers or Capt. Fair. I then told him that his keys and car were at the Northfield P.D. and how he could get them back once he sobered up.

I then ordered him to write a memo to his current supervisor explaining how he came to the attention of the Northfield P.D. officers and myself tonight. He stated that he understood, turned away from me and walked to his garage without saying anything. I stopped him and asked him if anyone was home and he told me that his wife was home. He opened the garage door via a key pad and walked inside the garage. A light went on inside the home prior to him opening the door and then he walked into the house through the garage door.

It was my opinion that Lancaster was highly intoxicated and should not have been operating a motor vehicle. I did not observe him operating his vehicle at any point during my contact with him tonight.

[REDACTED]

[REDACTED]