

cc: BOS

10/17
(12)

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9612
Fax (978) 264-9630

Don P. Johnson
Town Manager

October 4, 2005

Mr. Geraldo Miranda
President and Director
Daniela's Tacorito, Inc
60 Prospect Street
Acton, MA 01720

Mr. Kenneth Bender
Treasurer, Clerk, and Director
Daniela's Tacorito, Inc.
293 Old Dunstable Rd.
Groton, MA 01450

Ms. Virginia Wood
Director
Daniela's Tacorito, Inc
293 Old Dunstable Rd.
Groton, MA 01450

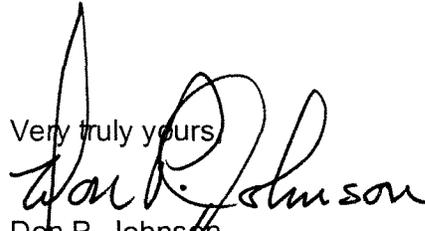
Ms. Tracy Boyd
Manager and Director
Daniela's Tacorito, Inc
60 Prospect Street
Acton, MA 01720

Mr. Miranda et al,

The Board of Selectmen of the Town of Acton has been notified of two additional notices of alleged over serving by Directors, officers or staff of Daniela's Tacorito Inc. Due to the fact that these latest two allegations bring the total to 5 such allegations in the last 24 months, the Board of Directors, or **at a minimum, the officers (Mr. Miranda and Mr. Bender) of Daniela's Tacorito Inc.** are hereby directed to attend a public hearing of the Acton Board of Selectmen on October 17, 2005 at 9:30 PM to show cause as to why the Liquor License for Daniela's Tacorito should not be revoked permanently. Said meeting will be held in Room. 204 of the Acton Town Hall, 472 Main Street, Acton, Massachusetts. Due to the seriousness of the pending hearing, the Directors and Officers of Daniela's Tacorito may wish to employ legal representation at this "Show Cause Hearing".

As you are aware, The Board of Selectmen takes these matters very seriously, and at prior disciplinary hearings Daniela's Tacorito has not found it necessary to have the President or an officer of the corporation attend the hearing. If the Directors or the Officers, at a minimum, continue to decide liquor law violation hearings are not of sufficient significance for them to attend, the Board of Selectmen will continue the hearing and suspend the liquor license of Daniela's Tacorito until such time that at a minimum all the officers (Mr. Miranda and Mr. Bender) of the corporation are in attendance.

Very truly yours,



Don P. Johnson
Town Manager

Cc. Police Chief
Liquor File

Brooke Murphy
9-1 Oak Ridge Dr. → 10/12/05
Maynard, MA via Fedx

Acton Police Department

InterDepartmental Memo

From: Frank J. Widmayer, Chief of Police

Date: September 28, 2005

To: Don Johnson, Town Manager

Subj: Daniela's TacoRito

RECEIVED
SEP 29 2005

As you can see from the attached documentation there has been another serious accident and arrest resulting from the over serving of alcohol at the above establishment. According to my records this incident is the fourth violation in the past two years.

TOWN MANAGER'S OFFICE

This latest incident involves pending court action so the reports have been redacted to remove the name of the arrested party and other personal information.

I am requesting that the Board of Selectmen call the owner of Daniela's in for a license suspension hearing.



Frank J. Widmayer
Chief of Police

CHRISTINE -
PLEASE SCHEDULE A
HEARING ASAP.

cc: BOS

TO: Lieutenant Thomas J. Rogers

DATE: September 26, 2005

FROM: Raymond P. Grey

SUBJ: Liquor License Violation (Daniela's Tacorito)

On 9-25-05 while reviewing Officer Penny's arrest report I noticed the arrestee indicated prior to the accident she had been drinking at Daniela's Tacorito. Apparently she is friends with the owners and fled to their home after the accident. The arrestee only drove approximately 100 yards prior to driving off the road. The impact of the collision split a utility pole on Prospect Street. A breath test was administered and a reading of .15 was achieved. As you know this is almost double the legal limit. During the bail process I specifically asked if she had been drinking anywhere else prior to the accident. To which she replied "no."

I have attached a copy of the Incident Report to this communication.

9-27-05 @ 1800 HRS - forwarded to C.O.P. / TR

Single Incident

COPY

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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I0514900 9 Yes Yes	CALL FOR SERVICE 54 PROSPECT ST Cross: (AT THE CORNER OF) MAIN ST @54 ACTON, MA, 01720 (01) ARREST	COGAN M PENNEY	09/24/2005, 22:37 09/24/2005, 22:37 09/24/2005, 22:40 09/24/2005, 22:57	MACGLASHIN COGAN J MVA ACCIDENT NO PI CT: MACGLASHIN
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Reported as: ACCIDENT NO PI Found as: ACCIDENT NO PI
Domestic Abuse: No

Dispatcher Remarks:

41MC/58LP TO THE ABOVE FOR REPORT OF MVA. MA PC 4536BK HIT A TELEPHONE POLE. DRIVER LEFT THE SCENE, WAS FOUND AT 60 PROSPECT. OPERATOR WAS ARRESTED. INTERNATIONAL TO TOW CAR. NSTAR NOTIFIED OF POLE BROKEN IN HALF. STARTING MILEAGE 7349. ENDING MILEAGE 7350.

ARRESTED (Female) M0003556
 [REDACTED] Apt: 211
 SHREWSBURY MA 01505
 Phone: 978-[REDACTED] Race: WHI
 Commt: ARRESTED: ACCIDENT NO PI
 License: [REDACTED] (MA)
 SSN: [REDACTED]
 DOB: [REDACTED] Age: 25

WITNESS (Male) M0500352
 MCKELVEY, MARK A
 54 PROSPECT ST
 ACTON MA 01720
 Phone: 508-[REDACTED] Race: W
 Commt: WITNESS WHO REPORTED HIT/RUN OUI ACC
 License: [REDACTED] (MA)
 DOB: [REDACTED] Age: 42

PROP-OWNR M0101446
 NSTAR
 800 BOYLSTON ST
 BOSTON MA 02199
 Phone: 617-[REDACTED]
 Commt: OWNER OF POLE #15 STRUCK 54 PROSPECT ST
 License: None
 DOB: None Recorded

PROP-OWNR (Female) M0304612
 DANIELA'S TACORITO
 208B MAIN ST
 ACTON MA 01720
 Phone: 978-266-2777
 Commt: RESTAURANT SUSPECT ADMITTED DRINKING AT
 License: None
 DOB: None Recorded

SUSPECT (Male) M9802199
 MIRANDA, GERALDO
 60 PROSPECT ST
 ACTON MA 01720
 Phone: 978-[REDACTED] Race: HIS
 Commt: RESTAURANT OWNERS HOUSE SUSPECT FLED TO
 License: [REDACTED] (MA)
 SSN: [REDACTED]
 DOB: [REDACTED] Age: 40

Acton Police Department
Incident Report

September 26, 2005

Monday 22:56

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Incident I0514900 (continued)

Persons:

SUSPECT BOYD, TRACEY License: [REDACTED] (MA)
 (Female) 60 PROSPECT ST SSN: [REDACTED]
 M0305071 ACTON MA 01720
 Phone: 978-[REDACTED] Race: W DOB: [REDACTED] Age: 35
 Commt: OWNER PRESENT AT RESTAURANT

OPERATOR [REDACTED] License: [REDACTED] (MA)
 (Female) [REDACTED] Apt: 211 SSN: [REDACTED]
 M0003556 SHREWSBURY MA 01505
 Phone: 978-[REDACTED] Race: WHI DOB: [REDACTED] Age: 25
 Commt: ARRESTED: ACCIDENT NO PI

Vehicles:

ID	Sr	Status	Color	Year	Make	Model	Style	VIN
V0500769	AC	No status	Gray	2000	Toyota	Camry	Sedan, 4D	
			Tag: MA [REDACTED]		Personal	Red		
			Person: 01 [REDACTED]		(ARRESTED)			

Narrative(s):

Narr. 1: PTL. LUKE PENNEY Division: None Status: Open [I0514900]
 Title: OUI HIT/RUN ACC Entered: PTL. LUKE PENNEY
 Reviewed: No officer

OFFICER M COGAN AND I RESPONDED TO 54 PROSPECT ST FOR A REPORT OF A CAR THAT JUST STRUCK A POLE AND THE OPERATOR WAS WALKING AWAY. PROSPECT ST IS A PUBLIC WAY OWNED AND MAINTAINED BY THE TOWN OF ACTON. UPON ARRIVAL, I OBSERVED MA REG [REDACTED] (2000 TOYOTA CAMRY GRAY REGISTERED TO [REDACTED] OF [REDACTED] SHREWSBURY) INTO AN N-STAR POLE WITH EXTENSIVE RIGHT FRONT DAMAGE. BOTH AIR BAGS HAD GONE OFF. THE IMPACT OF THE CAR WAS SO VIOLENT THAT THE POLE SNAPPED IN HALF. DETECTIVE CAMPBELL ARRIVED ON SCENE TO ASSIST ME IN LOOKING FOR THE OPERATOR AS OFFICER COGAN STOOD BY THE CAR IN THE MIDDLE OF THE ROADWAY. FROM THE EXTENSIVE DAMAGE TO THE CAR AND NSTAR POLE# 15, I ESTIMATED THE CARS SPEED AT APPROXIMATELY 45 MILES PER HOUR. PROSPECT ST IS POSTED 30 MILES PER HOUR. I OBSERVED NO EVIDENCE SKID OR YAW MARKS LEADING UP TO HE POLE IN WHICH THE VEHICLE STRUCK.

RESIDENT MARK MCKELVEY OF 54 PROSPECT ST WAS STANDING ON HIS FRONT LAWN NEXT TO THE NSTAR POLE. MCKELVEY DRESSED IN A BATHROBE SAID HE WAS AWOKEN BY THE NOISE OF THE CRASH IN FRONT OF THE HOUSE AND RUSHED OUT TO SEE WHAT HAPPENED. MCKELVEY SAID HE SAW A FEMALE WITH A RED TANK TOP GET OUT OF THE CAR EMBEDDED

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. LUKE PENNEY Incident I0514900

INTO THE POLE NOW SNAPPED IN TWO AND HEAD NORTH ON PROSPECT ST ON FOOT.

DETECTIVE CAMPBELL AND I CHECKED THE AREA PARKING LOTS INCLUDING DANIELA'S TACORITO 208B MAIN ST (A MEXICAN RESTAURANT/BAR) APPROXIMATELY 50 YARDS AWAY FROM THE ACCIDENT. WE ASKED THE PATRONS AND OWNERS TRACEY BOYD AND GERALDO MIRANDA IF THEY HAD SEEN THE FEMALE WITH A RED TANK TOP IN THE RESTAURANT. THE PATRONS AND OWNERS SAID NO. I PHYSICALLY CHECKED THE RESTAURANT WITH NEGATIVE RESULTS. OWNERS MIRANDA AND BOYD KEPT SAYING "SHE WASN'T DRINKING HERE". I THEN WENT OUTSIDE AND OBSERVED AN OLDER MALE IN HIS 60'S OR 70'S WALKING DIAGONALLY ACROSS THE LOT FROM THE AREA OF THE ACCIDENT.

THE OLDER MALE WALKED UP TO OWNER MIRANDA. I KNEW FROM PREVIOUS CALLS TO THE RESTAURANT ON ALCOHOL RELATED PROBLEMS THAT THE OWNER LIVED ACROSS THE STREET JUST DOORS AWAY FROM THE ACCIDENT SCENE.

AFTER THE TWO HAD WORDS, OWNER MIRANDA WAVED ME OVER. HE SAID THE OLDER GENTLEMAN HE WAS TALKING TO WAS HIS FATHER. MIRANDA SAID THAT THE GIRL I ASKED ABOUT EARLIER WAS AT HIS HOUSE AT 60 PROSPECT ST. HE ALSO POINTED TO A FEMALE PATRON WITH A GROUP NOW GATHERED OUTSIDE THE ENTRANCE AND SAID THE SUSPECT WAS FRIENDS WITH HER. I THEN DROVE MIRANDA TO HIS HOUSE. I ADVISED DETECTIVE CAMPBELL WHO WAS PRESENT OF THIS NEW INFORMATION AND ASKED HIM TO FOLLOW ME AND MIRANDA TO THE HOUSE.

WE ARRIVED AT MIRANDA'S HOUSE 60 PROSPECT ST WHERE MIRANDA LED US INTO THE HOUSE. WE WENT TO A FRONT BEDROOM WHERE I OBSERVED A FEMALE FITTING THE DESCRIPTION OF THE GIRL LEAVING THE ACCIDENT SCENE WITHOUT ANY SHOES ON. I ASKED FOR HER NAME AND SHE SAID [REDACTED]. I ASKED IF SHE WAS INJURED AT ALL AND SHE SAID "NO". I ASKED IF SHE WAS WEARING A SEAT BELT IN THE ACCIDENT AND SHE SAID "YES".

I ASKED [REDACTED] TO STEP OUTSIDE. I COULD DETECT A STRONG ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM HER PERSON. I ASKED HER IF SHE HAD BEEN DRINKING AND SHE SAID "I HAD TWO DRINKS". I ASKED HER WHERE SHE WAS DRINKING AND SHE SAID "DANIELA'S". I THEN ASKED HER IF SHE COULD RECITE THE ALPHABET. SHE MADE TWO ATTEMPTS AND FAILED. SHE WAS VERY UNSTEADY ON HER FEET AS WE WALKED OUT TO THE FLAT DRIVEWAY.

I ASKED HER ABOUT THE ACCIDENT. SHE SAID SHE HAD AN ARGUMENT WITH HER BOYFRIEND AT DANIELA'S AND LEFT IN HER CAR. SHE SLURRED HER SPEECH AS SHE SPOKE TO ME AND HER EYES WERE GLASSY AND BLOODSHOT. WITH THE EVIDENCE OF THE ACCIDENT, WITNESS STATEMENT DESCRIPTION, THE RESTAURANT OWNERS STATEMENT, AND THE FEMALES INTOXICATED CONDITION, I FORMED THE OPINION THAT SHE WAS OPERATING UNDER THE INFLUENCE OF INTOXICATING LIQUORS. I ADVISED HER SHE WAS UNDER ARREST.

I PLACED HANDCUFFS ON HER AND TRANSPORTED HER TO THE STATION WHERE SHE WAS BOOKED AND READ HER RIGHTS BY SGT COONEY. I TRANSPORTED HER TO THE MAYNARD

Acton Police Department
Incident Report

September 26, 2005

Monday 22:56

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. LUKE PENNEY Incident I0514900

POLICE DEPARTMENT WHERE OFFICER NEUFELD ADMINISTERED THE BREATHALYZER TEST. [REDACTED] FAILED TO PROVIDE SUFFICIENT BREATH BREATH SAMPLES ON TWO OCCASIONS. SHE FINALLY PROVIDED SUFFICIENT TESTS WITH RESULTS OF .15 AND .16. I THEN TRANSPORTED HER BACK TO THE STATION WHERE SHE WAS PLACED IN THE HOLDING CELL.

OPERATOR [REDACTED] WAS ISSUED CITATION # M2070565 FOR ARREST FOR

- 1) CH 90 SEC 24 OUI LIQUOR
- 2) CH 90 SEC 24 LEAVING THE SCENE PROP DAMAGE ACCIDENT
- 3) CH 90 SEC 17 SPEEDING
- 4) CH 89 SEC 4A MARKED LANES VIOLATION

MAYNARD POLICE ADVISED ME THAT SINCE I DIDN'T HAVE THE OPERATOR'S PHYSICAL LICENSE TO SCAN IN THE BT MACHINE THAT IT WOULD NOT PRINT A TEMPORARY LICENSE. DETECTIVE BROWNE PHOTOGRAPHED THE SCENE OF THE ACCIDENT. NSTAR WAS CONTACTED AND AN EMERGENCY DETAIL WAS SENT OUT SO THAT NSTAR COULD REPLACE THE POLE. THE CAR WAS TOWED BY INTERNATIONAL COLLISION.

RESPECTFULLY SUBMITTED
PTL LUKE D. PENNEY # 58

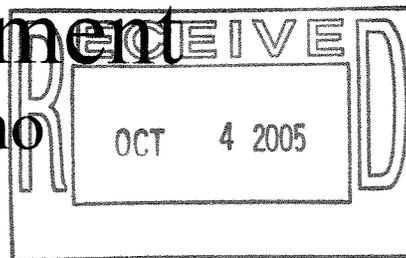
Narr. 2: PTL. LUKE PENNEY Division: None Status: Open [I0514900]
Title: MV ACCIDENT REPORT Entered: PTL. LUKE PENNEY
Reviewed: No officer

Citation Number if issued: M2070565

Describe What Happened: (Refer to Vehicles by Number)
OPERATOR 1 TRAVELLING SOUTH ON PROSPECT ST AT HIGH RATE OF SPEED, LEFT THE ROADWAY AND STRUCK NSTAR POLE BREAKING POLE.

Acton Police Department

InterDepartmental Memo



From: Frank J. Widmayer, Chief of Police

Date: September 29, 2005

To: Don Johnson, Town Manager

Subj: Daniela's TacoRito # 2

FILE COPY

As you can see from the attached documentation there has been another arrest resulting from the over serving of alcohol at the above establishment. According to my records this incident is the fifth violation in the past two years.

This latest incident involves pending court action so the reports have been redacted to remove the name of the arrested party and other personal information.

I am requesting that the Board of Selectmen call the owner of Daniela's in for a license suspension hearing. I expect that the Board may want to combine this hearing with the other request I sent up yesterday.

A handwritten signature in cursive script, appearing to read "Frank J. Widmayer".

Frank J. Widmayer
Chief of Police

**Acton Police Department
Incident Report**

September 28, 2005

Wednesday 16:19

Single Incident

INCIDENT LOCAL #	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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I0513555	PATROL INITIATED	KRUG	09/02/2005, 21:33	DEAN
	SCHOOL ST	ABRAMOWITZ	09/02/2005, 21:35	COGAN J
9	ACTON, MA, 01720 (01)		09/02/2005, 21:35	MVS 119EZC
No Yes	ARREST		09/02/2005, 21:51	M/V VIOLATION CT: DEAN

Reported as: M/V VIOLATION Found as: M/V VIOLATION
Domestic Abuse: No

Dispatcher Remarks:
82SK STOPPED MA/PC 119EZC NEAR THE ABOVE. 68GA ASSISTED. 68GA TO TRANSPORT ONE BACK FOR ARREST. SCOTT'S TO TOW. SEE REPORT.

ARRESTED [REDACTED] License: [REDACTED] (MA)
(Female) [REDACTED] SCHOOL ST SSN: [REDACTED]
M9800842 ACTON MA 01720
Phone: 978-[REDACTED] Race: WHI DOB: [REDACTED] Age: 58
Commt: ARRESTED: M/V VIOLATION

Vehicles:

ID	Sr	Status	Color	Year	Make	Model	Style	VIN
V0500718	AR	No status	Gray	2000	Saab	95	Station Wg	
			Tag: MA [REDACTED]					
			Person: 01 [REDACTED] (ARRESTED)					

Narrative(s):

Narr. 1: PTL. SCOTT KRUG Division: None Status: Open [I0513555]
Title: REPORT Entered: PTL. SCOTT KRUG
Reviewed: No officer

ON THE ABOVE DATE AND TIME I WAS TRAVELING EAST ON SCHOOL ST (PUBLIC WAY). I WAS BEHIND A VEHICLE DISPLAYING MA REG [REDACTED]. AS THE VEHICLE CAME UPON THE INTERSECTION OF SCHOOL ST AND PIPER RD THE ENTIRE VEHICLE DROVE OVER THE CENTER LINE INTO THE LEFT LANE. I ACTIVATED MY BLUE LIGHTS TO STOP THE VEHICLE. THE VEHICLE DROVE TO THE RIGHT SIDE OF THE RD AND CAME TO A STOP IN THE MIDDLE OF THE EASTBOUND LANE. I APPROACHED THE OPERATOR OF THE VEHICLE WHO WAS LATER IDENTIFIED AS [REDACTED], AND REQUESTED FOR HER LICENSE AND REGISTRATION. MS [REDACTED] HANDED ME HER REGISTRATION AND A FOLDER HOLDING HER DRIVERS LICENSE. I REQUESTED FOR HER TO REMOVE THE DRIVERS LICENSE FROM THE FOLDER. WHEN MS [REDACTED] DID THIS SHE HAD DIFFICULTY PULLING THE DRIVERS LICENSE OUT OF THE FOLDER. I THEN EXPLAINED TO MS [REDACTED] THE REASON WHY IS STOPPED HER. I ASKED MS [REDACTED] IF SHE WAS AWARE SHE WAS DRIVING ON THE WRONG SIDE OF THE ROAD, SHE STATED "NO". WHEN MS [REDACTED], SHE SPOKE WITH A SLURRED SPEECH. HER EYES WERE BLOODSHOT AND GLASSY, AND SHE HAD A STRONG ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM HER BREATH. I ASKED MS [REDACTED] IF SHE HAD BEEN DRINKING TONIGHT, SHE STATED "I HAD ONE MARGARITA AT DANIEL'S TACORITO".

**Acton Police Department
Incident Report**

September 28, 2005

Wednesday 16:19

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. SCOTT KRUG Incident I0513555

AT THIS POINT I REQUESTED FOR HER TO EXIT THE VEHICLE TO PERFORM FIELD TESTS AND SHE AGREED. WHEN SHE EXITED THE VEHICLE SHE FELL BACK AGAINST THE SIDE OF THE CAR. MS [REDACTED] WALKED TO THE REAR OF THE VEHICLE HOLDING ONTO THE SIDE. ONCE BACK AT THE REAR OF THE VEHICLE SHE LEANED AGAINST THE BUMPER TO HOLD HERSELF UP. I REQUESTED FOR TO STEP AWAY FROM HER VEHICLE AND WHEN SHE DID THIS SHE FELL BACK INTO THE VEHICLE AGAIN.

I ATTEMPTED TO DEMONSTRATE AND EXPLAIN THE NINE STEP FIELD TEST. DURING THE INSTRUCTION PHASE MS [REDACTED] COULD NOT PUT ONE FOOT IN FRONT OF THE OTHER WITHOUT FALLING BACK INTO THE REAR OF HER VEHICLE. MS [REDACTED] ATTEMPTED TO LEAN AGAINST HER VEHICLE WHILE TRYING TO PUT ONE FOOT IN FRONT OF THE OTHER FOOT. AFTER MS [REDACTED] ATTEMPTED TO PLACE ONE FOOT IN FRONT OF THE OTHER ONE AND FAILED I DISCONTINUED TRYING TO EXPLAIN THE TEST.

I THEN ATTEMPTED TO EXPLAIN AND DEMONSTRATE THE ONE LEG STAND FIELD TEST. WHILE I WAS DEMONSTRATING THIS FIELD TEST MS [REDACTED], SHE STATED "I COULDN'T DO THAT IF I HADN'T DRANK". I THEN ASKED MS [REDACTED] AGAIN HOW MUCH SHE HAD TO DRANK, SHE STATED "I HAD A GIN AND TONIC BEFORE I LEFT MY HOUSE".

I THEN REQUESTED FOR MS [REDACTED] TO STATE THE ALPHABET, STARTING WITH "C" AND ENDING AT "W". MS [REDACTED] STATED "C" THROUGH "E" AND THEN ASKED ME "WHAT DO YOU WANT ME TO SAY". I EXPLAINED TO MS [REDACTED] TO STATE UP TO "W". MS [REDACTED] CONTINUED THE ALPHABET FROM "H" AND UP TO "S", PAUSED AND THEN STATED TO "W".

I THEN GAVE MS [REDACTED] THE NYSTAGMUS FIELD TEST. MS [REDACTED] FOLLOWED MY PEN WITH HER HEAD. I STOPPED THIS FIELD TEST AND ASKED HER TO ONLY FOLLOW MY PEN WITH HER EYES. WHEN I BROUGHT THE PEN TO THE LEFT SIDE OF HER HEAD MS [REDACTED] LOOKED RIGHT. I THEN DISCONTINUED THIS FIELD TEST.

I REQUESTED FOR MS [REDACTED] TO REMAIN BY THE REAR OF HER VEHICLE WHILE I SPOKE TO MY BACK UP OFFICER, OFFICER ABRAMOWITZ. WHEN I DID THIS MS [REDACTED] GOT BACK INTO HER VEHICLE. AT THIS POINT I PLACED MS [REDACTED] UNDER ARREST FOR OUI ALCOHOL. I PLACED MS [REDACTED] IN THE BACK OF OFFICER ABRAMOWITZ CRUISER AND OFFICER ABRAMOWITZ TRANSPORTED HER BACK TO THE STATION WHERE SHE WAS BOOKED BY SGT COGAN. I INVENTORIED THE VEHICLE AND THE VEHICLE WAS TOWED BY J SCOTT MOTORS.

I THEN RETURNED TO THE STATION. ONCE BACK AT THE STATION MS [REDACTED] CONSENTED TO THE BAC. WHILE I WAS ENTERING MS [REDACTED]'S INFORMATION INTO THE BAC MACHINE MS [REDACTED] STATED WITH A SARCASTIC COMMENT, "IS THIS WHAT MY TAX DOLLARS ARE PAYING FOR". MS [REDACTED] REGISTERED ON THE BAC A .16. I ISSUED MS [REDACTED] CITATION M2071286 FOR THE FOLLOWING:

90-24 OUI ALCOHOL
89-1 FAIL TO KEEP RIGHT

OFFICER SCOTT KRUG #82
ACTON POLICE