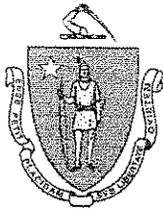


6/14/04 - (13) B07

7/12
(5)



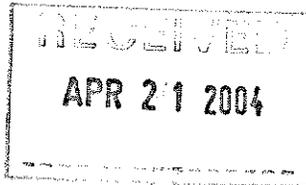
THE COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX DISTRICT ATTORNEY
40 THORNDIKE STREET CAMBRIDGE, MA 02141

MARTHA COAKLEY
DISTRICT ATTORNEY

Tel: 617-679-6500
Fax: 617-225-0871

April 9, 2004

Board of Selectmen
472 Main Street
Acton, MA 01720



Dear Sir/Madam:

Please be informed that the Middlesex District Attorney's Office was notified pursuant to G.L. c. 90, § 24J, that Janice Millett informed the Ayer District Court that, prior to committing a motor vehicle violation which involved driving under the influence of intoxicating liquors, she was served alcohol on 1/30/04 at the following establishment licensed to serve alcohol:

Makaha
255 Great Road
Acton, MA 01720

It is my belief that alcohol and substance abuse is a problem of major proportions in Middlesex. More specifically, the combination of such abuse and driving a motor vehicle is a threat to the lives and safety not only of the abuser, but also of the general public.

This letter is not meant to accuse the establishment of criminal or negligent conduct. The defendant's statement was not made under oath and may or may not be reliable. Nevertheless, because of the importance of the drunk driving issue, we bring this information to your attention for whatever action you may deem appropriate.

Very truly yours,

John McEvoy
First Assistant District Attorney

8

Shirley Police Department

P.O. Box 445
11 Keady Way
Shirley, MA 01464
978-425-2642

Incident Report
COPY

4/1/20 (10)

Incident Number: 200400000655
Alternative Reference Number: N/A
Dispatch Incident Number: 200400000655

RECEIVED
Print Date: April 22, 2004
Printed By: awriting
APR 23 2004

Incident Information

Occurred On/From →	Day of Week Fri	Date 01/30/2004	Time 5:21:00PM	Occurred To →	Day of Week Fri	Date 01/30/2004	Time 5:21:00PM	Reported On →	Date 1/30/2004	Time 5:21:00PM
-----------------------	--------------------	--------------------	-------------------	------------------	--------------------	--------------------	-------------------	------------------	-------------------	-------------------

Reported As: Operating under Influence (211) Incident Type - Primary: Operating Under Influence Arresting Officer: Patrolman Craig LaPrade

Incident Address: Great Road, Shirley, MA 01464 Reporting Officer:

Business Name: N/A Incident Types - Other:

Associated Persons Summary

Type	Name (Last, First, MI)	Date of Birth	Sex	Home Phone #	Work Phone #
Arrested	Millett, Jamie L Address: 260 Richardson Rd, Fitchburg, MA 01420	[REDACTED]	F	(978) [REDACTED]	N/A
Witness	Sidelinger, Scott R Address: 12 Sumac Dr, Townsend, MA 01469	[REDACTED]	M	(978) [REDACTED]	N/A

Associated Businesses Summary

Type	Name	Primary Phone #	Secondary Phone #
No Associated Businesses reported for Incident #: 200400000655			

IBR/UCR Offenses

Offense Number	IBR Type	Chapter	Section	IBR Type Description	Counts
0		N/A	N/A		

No Incident Offenses Recorded for Incident #: 200400000655

Arrest Offenses

Seq #	Chapter	Section	Name (Last, First, MI)	Description of Offense	Counts
No Arrest Offenses Recorded for Incident #: 200400000655					

Arrestee Seq. # 1

Suspect Type	Suspect Name		Alias/Nickname		Occupation	SSN			
Positive Identification	Millett, Jamie L		N/A		Customer service	012-52-8430			
Date of Birth	Age	Sex	Race	Ethnicity	Skin Tone	Height	Weight	Eye Color	Hair Color
[REDACTED]	40	Female	Caucasian	Not Hispanic	Fair	66.00	125	Blue	Blonde or St

Scars / Marks / Tattoos / Other Physical Characteristics:
No Physical Characteristic Data Reported

Suspect Seq. # 1

Suspect Type	Suspect Name	Alias/Nickname	Occupation	SSN
No Suspect Data Available for Incident #: 200400000655				

Shirley Police Department

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Incident Report
COPY

Incident Number: 2004000000655
Alternative Reference Number: N/A
Dispatch Incident Number: 2004000000690
Print Date: April 22, 2004
Printed By: awhting

Victims							
Victim Name	Victim Type	Sex	Race	Ethnic Origin	Hospital Destination	Transport Description	
No Victims reported for incident #: 2004000000655							

Vehicle Info									
Vehicle No.	Vehicle Make	Vehicle Model	Vehicle Year	VIN	Primary Color	Secondary Color	Plate No.	State	
No Vehicle Info Recorded for incident #: 2004000000655									

Property
No Property Info reported for incident #: 2004000000655

Narratives for Incident Number 2004000000655 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Patrolman Craig LaPrade Division: Patrolman

Seq No:	Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
1	01/30/2004 18:52		Patrolman Craig LaPrade	Open		01/30/2004

ON THE ABOVE DATE AND APPROXIMATE TIME THIS OFFICER ALONG WITH LT. J.G.MASSAK , AND OFF.J.GERAKINES WERE DISPATCHED TO THE AREA OF RT2A (GREAT ROAD) FOR A REPORTED ERRATIC MOTOR VEHICLE . THE REPORT CAME IN THROUGH AYER POLICE DEPT. WHOM STATED THEY HAD A OFF DUTY MIDDLESEX SHERIFF ON THE A CELL PHONE FOLLOWING (MA. REG. 342-GFH) A WHITE DODGE INTREPID . HE REPORTED THE CAR ALL OVER THE ROADWAY, NEARLY HITTING SEVERAL CARS ON RT. 2A IN THE TOWN OF AYER . AYER DISPATCH ADVISED THAT IT WAS HEADING TOWARDS SHIRLEY ALSO ON RT. 2A .

THIS OFFICER HEARD OVER THE RADIO THAT OFF. JOLENE MINAIDI WAS BEHIND THAT CAR IN QUESTION AND WAS ADVISED BY SGT. M. EDMANDS OD AYER TO STOP SAME , AWAITING SHIRLEY PD. ARRIVAL . THIS WAS BECAUSE OF A PUBLIC SAFETY ISSUE . I HEARD THE AYER CRUISER WAS OUT AT THE BULL RUN RESTAURANT WITH THAT CAR AND THE SHERIFF WAS WITH HER . THIS ROAD IS A PUBLIC MAINTAINED BY THE STATE DPW.

THIS OFFICER ARRIVED SHORTLY AFTER THE STOP AND HAD OCCASION TO SPEAK WITH OFF. MINAIDI , WHO ADVISED ME THAT SHE SPOKE TO THE OPERATOR AND COULD DETECT A STRONG ODOR OF ALCOHOLIC BEVERAGE COMING FROM HER PERSON .

THIS OFFICER THEN HAD OCCASION TO SPEAK TO (JAMIE MILLETT) THE OPERATOR OF THE CAR MYSELF AND I COULD ALSO DETECT A STRONG ODOR OF ALCOHOLIC BEVERAGE COMING FROM HER PERSON .

I THEN ASKED HER WHERE SHE WAS COMING FROM AND SHE STATED , SHE JUST LEFT A RESTAURANT IN WESTFORD OR ACTON , SHE COULD NOT REMEMBER . SHE STATED SHE MET HER FRIENDS AFTER WORK AND HAD A COUPLE OF GLASSES OF WINE .

THIS OFFICER ADVISED (MILLETT) THAT A OFF DUTY SHERIFF WAS BEHIND HER AND OBSERVED HER DRIVING CONDITION . SHE STATED THAT SHE WAS TIRED AND HAD (2) GLASSES OF WINE WITH HER FRIENDS . I ASKED HER TO STEP OUTSIDE THE CAR AND OFFERED HER A FIELD SOBRIETY TEST . THE TEST WENT AS FOLLOWS .

TEST (1) ONE LEG STAND.... DISPLAYED BY MYSELF , THEN ASKED TO PERFORM

Shirley Police Department

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COPY
Incident Report
RAM

Incident Number: 200400000655
Alternative Reference Number: N/A
Dispatch Incident Number: 200400000690
Print Date: April 22, 2004
Printed By: awhiting

Narrative by: Patrolman Craig LaPrade Division: Patrolman

<u>Seq No:</u>	<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
1 (cont)	01/30/2004 18:52		Patrolman Craig LaPrade	Open		01/30/2004

RESULTS..... SHE DID NOT FOLLOW INSTRUCTIONS I GAVE. (LIFT EITHER LEG THEN COUNT AS FOLLOWS (ONE ONE THOUSAND, TWO ONE THOUSAND, ETC TO (9)) KEEPING HANDS BY HER SIDE .

SHE WOULD NOT WAIT FOR ME TO FINISH EXPLAINING ,THEN PLACED ARMS UP AT SHOULDER HEIGHT AND OUT TO HER SIDE, THEN COUNTED (1,2,3, ETC) SHE TRIED THIS WITH LEFT LEG FIRST, THEN RIGHT LEG AND COUNTED TO (13) NOT (9) AS INSTRUCTED BY MYSELF . HER BALANCE WAS VERY POOR ALSO . SHE ALMOST FELL OVER TWICE .

TEST (2) FINGER TO NOSE TEST AGAIN I DISPLAYED THE TEST FIRST .

SHE WAS DOING THE TEST BEFORE I COULD FINISH . SHE DID NOT CLOSE HER EYES AND WHEN SHE DID ALMOST FELL OVER AGAIN . SHE TOUCHED HER UPPER LIP NOT NOSE .

AT THIS TIME I FORMED THE OPINION THAT SHE WAS INTOXICATED AND PLACED HER UNDER ARREST . I PLACED HER INTO MY MARKED CRUISER AND BROUGHT HER TO THE STATION FOR ALL APPLICABLE RIGHTS . LT. MASSAK GAVE HER A BREATH TEST . RESULTS WERE .16 .15 .16 SHE WAS LATER RELEASED TO HER HUSBAND AND BAILED .

SEE ATTACHED REPORTS FROM AYER PD, SHERIFF'S DEPUTY , AND LT.MASSAK .

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Lieutenant Gregory Massak Division: Lieutenant

<u>Seq No:</u>	<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
2	01/30/2004 21:32	OUI arrest and BT	Lieutenant Gregory Massak	Open		01/30/2004

The following is a brief summary of the events of Friday January 30th at approximately 17:21 hrs.

I received a radio transmission reporting an off duty Sheriff's Deputy was following a white Dodge Intrepid MA reg. 342-GFH Westerly on Route 2A (Great Road) which was all over the roadway. I was in the area of Walker Road and Route 2A at the time of the radio broadcast. I observed traffic for a couple minutes and was advised that the vehicle had been stopped on Route 2A in the area of the Bull Run Restaurant by an Ayer cruiser.

I responded to the area of the traffic stop and assisted Ofc.'s LaPrade, Gerakines, and Ayer Ofc. Minardi at the scene. Ofc. Minardi advised me that she had made observations of the suspect vehicle and made the stop of the vehicle because she was concerned the vehicle might collide with another vehicle on the roadway.

The reporter of the erratic m/v (Scott Sidlinger) made himself know to the officers and identified the vehicle stopped as the vehicle he had observed operating erratically.

I walked to the rear of the suspect's vehicle and observed the suspect step from the vehicle and walk to the rear of her vehicle with

Shirley Police Department

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Shirley, MA 01464
978-425-2642

Incident Report
PAM

Incident Number: 200400000655
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Dispatch Incident Number: 200400000690
Print Date: April 22, 2004
Printed By: awhting

Narrative by: Lieutenant Gregory Massak Division: Lieutenant

Seq No:	Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
2 (conti	01/30/2004 21:32	OUI arrest and BT	Lieutenant Gregory Massak	Open		01/30/2004

Ofc. LaPrade. I observed her to lean against the vehicle and place her hand on the vehicle to maintain her balance. As she spoke with Ofc. LaPrade I observed her speech to be slow and slurred. I could detect a moderate odor consistent to that of intoxicating beverage coming from her mouth. I observed Ofc. LaPrade explain the one leg stand to the suspect (now identified as Jamie L. Millett) and asked her to pick which ever foot she wanted and hold it up off the ground and count one-one-thousand, two-one-thousand, up to nine. I observed her pick up her left foot and immediately raise her arms for balance, and place her foot down on the count of one. She attempted with the right leg and counted 1,2,3,4,5,6,7, and put her foot down. She did not count correctly and kept putting her foot down and raising her arms to maintain her balance almost falling on two occasions.

The next test Ofc. LaPrade gave to the suspect was to stand with her feet together, tilt her hear back, close her eyes and extend her arms out. He first demonstrated the correct position and while demonstrating the suspect began to do the test without being told to do so. Ofc. LaPrade told her several times to wait until she was told to do the test and each time he told her she raised her arms and tilted her head back and lost her balance taking a few steps backwards to keep from falling. She attempted the finger to nose touch and touched her upper lip. At that time Ofc. LaPrade and I formed the opinion that she was intoxicated and placed Ms. Millett under arrest for Operating a m/v under the influence of alcohol.

Ofc. LaPrade transported Ms. Millett to the station and upon arrival at the station we discovered that she had slipped out of the handcuffs and placed them on the floor of the cruiser. At we removed her from the cruiser I observed that she was incontinent and the back seat of the cruiser was wet.

She was taken into the station where she was advised of her rights under Miranda, Ch. 263 s 5A rights to be examined by a physician at her own expense, and breath testing, the various readings, and the fact that her license would be suspended if she refused the test. She said she was not drunk, she only had two glasses of wine and she would take the test. While she spoke with me I detected a moderate odor consistent to that of intoxicating beverage coming from her mouth and about her person. Her eyes were glassy, watery, and bloodshot. He speech was slurred, and she kept repeating herself and asking the same questions over and over again. I was assisted at the Police Station by Matron Mary Rice.

At approximately 18:15 I administered a breath test of Ms. Millett by having her blow two samples of deep lung air into the Draeger Alcotest 7110 breath testing machine. The results of the tests were as follows:
Subject sample .16%
Calibration Test .15%
Subject sample .16%

I advised Ms. Millett of the readings and her right to a comparison test and asked her to sign the breath test form. I issued a temporary license to Ms. Millett as well as her notice of license suspension and cut her operators license in half.

I contacted Bail Commissioner Moran and the subject was bailed for Ayer District Court on Monday Feb. 2nd. and picked up by her husband.

Signature - Reporting Officer

Signature - Reviewing Officer

Shirley Police Department

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978-425-2642
Incident Report
PAM**

**Incident Number: 2004000000655
Alternative Reference Number: N/A
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Printed By: awhting**

Incident Notes:

Create User ID:

Seq No: Date & Time

No Incident Notes Listed