



An Internationally  
Accredited Law  
Enforcement Agency  
(US/Eastern)

## Rutgers PD - New Brunswick

### Incident Report

55 Paul Robeson Boulevard New Brunswick, NJ 08901

Phone: (848) 932 - 8407 Fax: (732) 932 - 4883

<b>ORI</b> NJ0123000	<b>County</b> Middlesex County	<b>Venue</b> 1214OC NEW BRUNSWICK - OFF CAMPUS	<b>Report #</b> 19RC02349
<b>Report Date / Time</b> 08/21/2019 22:38 Hrs	<b>Occurrence Date / Time</b> 08/21/2019 22:11 Hrs		<b>File Class</b> 39:4-50

<b>Nature of Incident</b> Dwi	<b>Supplements</b> Approved Report (4)
----------------------------------	-------------------------------------------

**Summary**  
Stephan Demicco (not affiliated) was placed under arrest for driving while intoxicated subsequent to a motor vehicle stop on Senior Street near the intersection of Easton Ave.

### Incident Location

<b>Address</b>		<b>City</b>	<b>State</b>	<b>ZIP</b>	<b>Country</b>
93 Senior Street		New Brunswick	New Jersey	08901	United States of America
<b>County:</b>	<b>Township of Occurrence</b>		<b>Clery Location</b>		
Middlesex County	New Brunswick City		Off Campus		
<b>Intersection</b>					
Easton Avenue (0 null)					
<b>Latitude</b>	<b>Longitude</b>	<b>Beat</b>	<b>Sub-Beat</b>		
40.501193	-74.457454	null	null		

**Comments**  
EASTON AVE/ SENIOR ST

### Incident Offenses

<b>Supp #</b> 0	<b>Offense</b> 39:4-50 - Driving While Intoxicated	<b>Status</b> Cleared by Arrest	<b>Status Date</b> 08/21/2019 22:12 Hrs
<b>Attempted / Completed</b> Completed	<b>Weapons Used</b>		

### Officers Involved

Role	Name	Agency	Supp #
Approving	Acting Sergeant G. Roitzsch (#3934)	Rutgers PD - New Brunswick	0
Arresting / Citing	Police Officer E. Moschberger (#3962)	Rutgers PD - New Brunswick	0
Assisting	Acting Sergeant G. Roitzsch (#3934)	Rutgers PD - New Brunswick	0
Assisting	Police Officer C. Kosinski (#3989)	Rutgers PD - New Brunswick	0
Reporting	Police Officer E. Moschberger (#3962)	Rutgers PD - New Brunswick	0

### Incident People

Roles Arrestee,Suspect / Offender			Supp # 0			Privacy [REDACTED]
Name DEMICCO, STEPHAN (Primary Name)			Title	Date of Birth [REDACTED] 1952		
Race White			Sex M	Age at Occurrence 67 Years Old		
			DL # [REDACTED] (New Jersey)			

Cellular (Date of Info: 08/22/2019)  
[REDACTED] - Cellular (Date of Info: 08/22/2019)

**Address:**  
[REDACTED] New York Avenue NEW BRUNSWICK, NJ 08901 (Date of Info: 08/22/2019)

<b>Height</b> 6	<b>Weight</b> 180	<b>Hair</b> Gray Or Partially Gray Straight	<b>Hair Length</b> Short	<b>Skin</b> Light
<b>Eye Color</b> Blue	<b>Build</b> Medium	<b>Facial Hair</b> None	<b>Date of Info</b> 08/22/2019	

<b>Arrest Date</b> 08/21/2019		<b>Arrest Type</b> On-View Arrest			
<b>Roles</b> <b>Other Contact Person</b>			<b>Supp #</b> 0		
<b>Name</b> FOX, JEANNE (Primary Name)			<b>Title</b>	<b>Date of Birth</b> [REDACTED] 1952	
<b>Race</b> White	<b>Sex</b> F	<b>Age at Occurrence</b> 67 Years Old	<b>DL #</b> [REDACTED] (New Jersey)		
<b>Address:</b> [REDACTED] Privacy [REDACTED] NEW BRUNSWICK, NJ 08901 (Date of Info: 08/22/2019)					
<b>Incident Organizations</b>					
<b>Role</b> Victim		<b>Name</b> Society			
<b>Incident Vehicles</b>					
<b>Role</b> Other					<b>Supp #</b> 0
<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Type</b>	<b>Style</b>	
<b>VIN</b>	<b>License #/State:</b> BRIG/New Jersey		<b>License Month/Year</b> /	<b>License Type</b>	
<b>Odometer</b>	<b>Color</b>	<b>Motorcycle CCS</b>		<b>Misc Id</b>	
<b>Owner</b>		<b>Value</b>	<b>Insurance Company</b>		<b>Policy Number</b>
<b>Status</b> Unknown(#0)		<b>Locked</b> N		<b>Keys in Vehicle</b> N	
<b>Role</b> Other					<b>Supp #</b> 0
<b>Year</b> 2018	<b>Make</b>	<b>Model</b>	<b>Type</b>	<b>Style</b>	
<b>VIN</b> [REDACTED]	<b>License #/State:</b> Priva/New Jersey		<b>License Month/Year</b> 2/	<b>License Type</b>	
<b>Odometer</b>	<b>Color</b>	<b>Motorcycle CCS</b>		<b>Misc Id</b>	
<b>Owner</b>		<b>Value</b>	<b>Insurance Company</b>		<b>Policy Number</b>
<b>Status</b> Unknown(#0)		<b>Locked</b> N		<b>Keys in Vehicle</b> N	
<b>Comments</b> **Invalid vehicle make and model from import, Make: LEX Model: LS, **Invalid Top Color from import= WT					
<b>Vehicle Role</b> Other		<b>Total Value</b> \$ 0.00			
<b>Grand Total of Vehicle Loss:</b>					

## Incident Narratives

## Original Narrative

Author:

Police Officer E. Moschberger #3962

Date Created:

08/22/2019 0334 Hrs

Supp #:

0

On August 21, 2019 at approximately 2211 hours, I was on patrol in marked vehicle 15. While on patrol I observed a white Lexus, bearing NJ registration [Privac], traveling on Collage Ave towards Senior Street without it's headlights on. I then observed the Lexus cross over the clearly marked double yellow line with both drivers' side tires in front of 130 Collage Ave. The Lexus then made a left hand turn onto Senior Street. I activated my overhead emergency lights and conducted a motor vehicle stop on Senior Street near the intersection of Easton Ave. The vehicle came to a sudden stop with the tires skidding and nearly collided with a vehicle that was also stopping in front of it.

I approached the driver's side window of the vehicle and requested his driver's license. The driver immediately handed me his registration and insurance. I requested the driver to provide me with his license again and he advised that I already had it. I advised him that I only had his registration and insurance. The driver appeared to be confused with my request and eventually located his license and provided it to me, identifying him as Stephen Demicco (not affiliated). It should be noted that Demicco's eyes were bloodshot, glassy, and watery. I also detected the odor of alcoholic beverages emanating from within the vehicle. I asked Demicco where he was coming from and he stated "downtown" I then asked Demicco if he had anything to drink and he stated a couple. I further inquired about what Demicco had to drink and he advised one bourbon and a couple of glasses of wine with dinner at The Frog and The Peach. I returned to my vehicle to secure Demicco's document and requested Acting Sgt. Roitzsch to respond to the scene for Standardized Field Sobriety Tests.

At this time, I approached the driver's side of the vehicle and requested Demicco to exit the vehicle, which he willingly complied. Demicco was escorted to a nearby concrete sidewalk that was straight, level, and free of debris. It should be noted that the area was illuminated with the use of my overhead ally lights and on scene officers hand held flashlights. All on scene vehicles emergency lights were switched to rear lights only in order to not affect the tests. While waiting for the arrival of Acting Sgt. Roitzsch I asked Demicco if he had any medical conditions, to which he responded no. While Speaking with Demicco the odor of alcoholic beverages was emanating from his mouth and his speech was slow.

Upon the arrival of Acting Sgt. Roitzsch, the Horizontal Gaze and Nystagmus was conducted. It should be noted that during this test I observed Domicco swaying back and forth. See Acting Sgt. Roitzsch supplemental report for further details.

Next, Domicco was explained the walk and turn test and was placed in the starting position, which he stepped out of the position once and failed to keep hid feet together connecting heel to toe, as instructed. Domicco was instructed on the test, stated that he understood the test, and was prompted to begin the test. Domicco missed connecting heel to toe by more than one half inch on every step on the first 9 and raised his arms more than six inches the entire time. Domicco then made an incorrect turn by just turning around to the right. Series two, Domicco Stepped of the line and missed the heel to toe connection by more than one half inch on all of the steps. Domicco also raised his arms continuously throughout the conducted tests.

Next, I instructed Domicco on the one-leg stand. At the conclusion of the instructional stage, Domicco indicated he understood. Domicco choose to raise his right foot for the test. As Domicco began the tests, he swayed noticeably on all phases of the 30 second count. Domicco also raised his arms multiple times on all phases of the 30 second count. Between the 0-10 and second phase Domicco almost fell over, placed his foot down twice and switched to his left foot. Domicco then placed his left foot down between the 11-20 portion of the test and switched to his right foot. Between the 21-30 portion of the test Domicco placed his right foot down and switched to his left foot. During the entire portion of the test Domicco was having a difficult time maintaining his balance and lifting his foot to the

instructed height. Domicco also had to be instructed multiple times to continue the test and failed to count to 30 during the test.

Domicco was placed under arrest for driving while intoxicated and his hands were secured behind his back with handcuffs (double locked). Domicco was then searched for contraband, which yielded negative results. Domicco was then placed in the rear prisoner compartment of vehicle 15 and secured with a seat belt. It should be noted the interior portion of my patrol vehicle quickly filled with the odor of alcoholic beverages. I approached the passenger side window of the vehicle and spoke with Jeanne Fox (not affiliated) and advised her that the vehicle would have to be towed. Fox advised that she only lived a block away and walked home, as per request. Domicco was then transported to RUPD Headquarters with the MVAR activated. It should be noted that Officer Kosinski remained on scene with the vehicle. The vehicle was removed from the scene by Guaranteed Motors in good condition.

Upon our arrival to RUPD Headquarters, Domicco was escorted in to the processing area and searched again for contraband, which yielded negative results. Domicco was then secured to the bench in the processing area with a single strand handcuff (double locked).

At this time, Domicco's mouth was checked for foreign objects yielding negative results. I time-stamped a 20-minute observation period with Rutgers Communications and kept time on my personal wrist watch. During the 20-minute observation Domicco did not burp, hiccup, or regurgitate any mouth alcohol and I maintained constant face to face contact with him from approximately 4 feet away. I read out loud to Domicco his Miranda Rights and the Attorney General's Standard statement. Domicco indicated "yes" to a request for breath samples.

After the 20-minute observation period had ended, all electronics were removed from the room and Domicco was placed in a seated position next to the instrument. See Acting Sgt. Roitzsch's supplemental report for further details regarding the Alcotest.

The Alcotest result provided a breath sample of .09% BAC which was verified true and within tolerance by Rutgers Communications.

Fox (non-affiliated) arrived to Rutgers Police Headquarters and completed the John's Law paperwork. Fox was provided a copy of the signed form.

Domicco was released at approximately 0036 hours.

Summons Info: Domicco was issued 1214r135288, 1214r135289, 1214r135290, 1214r137861, 1214r137862, 1214r137863, and was released under the John's Law provision to Fox with the necessary paperwork and provided a court date of September 2, 2019 at 0845 hours. It should be noted that all property was returned to Domicco prior to his departure.

<b>Signed:</b> Police Officer E. Moschberger #3962	<b>Reviewed:</b> Acting Sergeant G. Roitzsch #3934
----------------------------------------------------	----------------------------------------------------

## Supplement #1 Narrative

Author: Date Created: Supp #:  
Acting Sergeant G. Roitzsch #3934 08/22/2019 0608 Hrs 1

On August 21, 2019 at 2211 hours, the undersigned officer responded to a motor vehicle stop on Senior Street at the intersection of Easton Avenue initiated by Officer Eric Moschberger #3962. Upon arrival, Ofc. Moschberger indicated that he suspected alcohol impairment of the driver due to observed operation of the vehicle and indicators presented by the driver. Ofc. Moschberger had asked the driver to exit the vehicle who was later identified as Stephen Demicco (non-affiliated) who was escorted to an area of the sidewalk which appeared level, free from tripping hazards and debris and illuminated by the alley lights of vehicle 15 and officer's handheld flashlights.

I introduced myself to Demicco who subsequently indicated that he consumed a "couple of bourbons and glasses of wine with dinner." at the Frog and the Peach restaurant. Demicco indicated that he did not ingest any prescription or illicit drugs prior to driving, that he did not wear glasses and was not currently wearing contacts, and that the footwear that he was currently wearing was of good soles and suitable for balance. I placed Demicco in an observable position and began Horizontal Gaze Nystagmus. I preformed Horizontal Gaze Nystagmus (HGN) and confirmed with Demicco that he could see the stimulus to which Demicco stated he could. The stimulus was placed approximately 12-16 inches from the medial portion of Demicco's nose. Demicco was asked with one finger to touch the end of stimulus with the pad of his finger to which he completed indicating that he understood the portion he was to follow. As Demicco was observing the stimulus, I detected no resting nystagmus, equal sized pupil and equal tracking of the stimulus. I conducted Horizontal Gaze Nystagmus observing the following six clues:

- 1) Lack of smooth pursuit in the left eye
- 2) Lack of smooth pursuit in the right eye
- 3) Nystagmus at maximum deviation in the left eye
- 4) Nystagmus at maximum deviation in the right eye

I observed Demicco to sway significantly back and forth while performing the test. At numerous points during the tests I had to remind Demicco to stop moving his head and to only follow the stimulus with his eyes. Demicco continually anticipated the position of the stimulus and would jump ahead. I observed no vertical nystagmus.

My findings were passed to Ofc. Moschberger for the purposes of the Standardized Field Sobriety Battery.

### Alcotest Instrument

Upon my arrival, Rutgers Police Officer Eric Moschberger #3962 was conducting the mandatory 20 minute observation period which to my knowledge was uninterrupted and continuous. After the 20 minute observation period, had ended, Demicco was placed in a seated position next to the instrument. At that time, I began to operate the instrument, and explained to the subject the procedure he must follow prior to giving each breath sample. The same procedure was explained prior to each subsequent breath sample given. Prior to submitting to each breath sample, the subject acknowledged that he understood the instructions as given.

The subject provided valid breath samples on samples 1 and 2 and were accepted by the instrument. At each sample, I verbally explained and physically demonstrated the procedure for producing a valid breath sample. After providing two valid breath samples, which included a new mouthpiece for both breath tests, the instrument reported a breath test result of 0.09% BAC.

A DWI Computation showed the results were within acceptable tolerances (TRUE).

The sequential file number for this test is 01577.

**Signed:** Acting Sergeant G. Roitzsch #3934

**Reviewed:** Acting Sergeant G. Roitzsch #3934

## Supplement #2 Narrative

Author: Evidence Custodian G. Rule #4203 Date Created: 08/23/2019 1122 Hrs Supp #: 2

On August 23, 2019 I entered into evidence MVAR video for vehicle 15 as well as body cam video for officers 3962, and 3934 downloaded from the Arbitrator system to DVDs.

**Signed:** Evidence Custodian G. Rule #4203

**Reviewed:** Sergeant J. Lugo #3834

## Supplement #3 Narrative

Author: Date Created: Supp #:  
PSA S. Kelliher #3458 08/26/2019 1442 Hrs 3


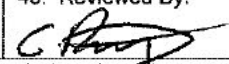
On August 26th, 2019, I submitted into evidence a DVD containing processing footage for this incident. The disk was placed into an envelope, sealed, labeled, and secured within evidence locker 22.

**Signed:** PSA S. Kelliher #3458

**Reviewed:** Detective Lieutenant B. Emmett #3754



# RUTGERS POLICE DEPARTMENT TOWED VEHICLE REPORT

1. Incident Number <b>19RC02349</b>											
2. Location <b>Senior St. / Easton Ave</b>					3. Date <b>08-21-19</b>		4. Time <b>2211</b>		5. Day <b>Wednesday</b>		
6. Plate <b>Privacy</b>		7. State <b>NJ</b>		8. Expiration <b>06-20</b>		9. No. of Plates <input type="checkbox"/> 0 <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2		10. Mileage <b>15264</b>		11. Hold? <input type="checkbox"/> No <input type="checkbox"/> Yes, Investigation <input checked="" type="checkbox"/> Yes, Documentation	
12. Year <b>2018</b>		13. Make <b>Lexus</b>		14. Model <b>LS500</b>		15. Body Type <b>4 DR</b>		16. Color <b>WT</b>		17. Vehicle Identification Number <b>Privacy</b>	
18. Operator <b>Stephen Denicco</b>					19. Driver's License Number <b>Privacy</b>			20. State <b>NJ</b>		21. Home Telephone Number	
22. Address <b>Privacy</b>					23. Work Telephone Number						
24. Owner <input checked="" type="checkbox"/> Same as Operator					25. Driver's License Number			26. State		27. Home Telephone Number	
28. Address					29. Work Telephone Number						
30a. Towing Service: <input type="checkbox"/> <b>ACE Towing</b> 9525 River Road Pennsauken, NJ 08110 (856) 663-9550			30b. <input type="checkbox"/> <b>Carm's Auto Body</b> 34 Georges Road New Brunswick, NJ 08901 (732) 249-3111			30c. <input type="checkbox"/> <b>Dependable Motors</b> 873 Somerset St., Somerset NJ 08873 (732) 246-3255			30d. <input checked="" type="checkbox"/> <b>Guaranteed Motor Towing</b> 607 Somerset New Brunswick, NJ 08901 (732) 247-7491		
30e. <input type="checkbox"/> <b>Len's Towing Service</b> 697 Joyce Kilmer Avenue New Brunswick, NJ 08901 (732) 846-8288			30f. <input type="checkbox"/> <b>Logan's George Towing</b> 1979 US Highway 130 North Brunswick, NJ 08902 (732) 297-9870			30g. <input type="checkbox"/> <b>Puleio's Service Center</b> 1475 Livingston Avenue North Brunswick, NJ 08902 (732) 846-9008			30h. <input type="checkbox"/> <b>Rich's Towing Service Inc</b> 1099 14 <sup>th</sup> Street North Brunswick, NJ 08902 (732) 435-0655		
31. Date Stolen		32. Jurisdiction Stolen From				33. Original O.C.A.			34. NIC Number		
35. Areas Damaged <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;"> <div style="text-align: center;">2 3</div> <div style="text-align: center;">1 ← 9</div> <div style="text-align: center;">6 7 8</div> </div> <div> <input type="checkbox"/> <b>TOTALED</b>  <input type="checkbox"/> <b>UNDERCARRIAGE</b>  <input type="checkbox"/> <b>RUST COVERED</b>  <input type="checkbox"/> <b>INTERIOR DAMAGE</b>  <input type="checkbox"/> <b>WINDOWS DAMAGED</b>  <input checked="" type="checkbox"/> <b>SCRATCHES</b>  <input checked="" type="checkbox"/> <b>OTHER</b> <u>Scuffs</u> </div> </div>					36. Reason for the Tow: <input type="checkbox"/> <b>ABANDONED</b> <input type="checkbox"/> <b>PARKING SCOFFLAW</b> <input checked="" type="checkbox"/> <b>ARREST</b> <input type="checkbox"/> <b>MOTOR VEHICLE CRASH</b> <input checked="" type="checkbox"/> <b>DRIVING WHILE INTOXICATED</b> <input type="checkbox"/> <b>RECOVERED STOLEN</b> <input type="checkbox"/> <b>OTHER:</b>						
37. Summonses & Statutes: <b>39:4-50</b> <b>- John's Law</b>											
38. Additional Information: <b>- Scuffs, scratches drivers side bumpers, curb rash on all four wheels</b> <b>12 hr Hold</b>											
39. Other Reports Submitted: <input type="checkbox"/> NJTR-1 <input checked="" type="checkbox"/> INCIDENT REPORT <input checked="" type="checkbox"/> D.W.I. <input checked="" type="checkbox"/> ARREST <input type="checkbox"/> DOMESTIC VIOLENCE <input type="checkbox"/> OTHER:											
40. Officer's Name <b>Kosinski</b>			41. I.D. <b>3989</b>		42. Signature 			43. Reviewed By: 		44. I.D. <b>3981</b>	
The OWNER or DESIGNATED AGENT must present the proper documentation to the Rutgers University Police Department in order to obtain a release for the vehicle or its contents. The vehicle must be removed from storage following the release. Failure to remove the vehicle from storage may result in your being charged with abandonment. Any vehicle held in excess of 20 days will be sold at public auction in accordance with NJSA 39:10A-1. <b>Rutgers Police - Camden - 409 North 4<sup>th</sup> Street, Camden NJ 08102 - Tel: (856) 225-6009 / Fax: (856) 225-6278</b> <b>Rutgers Police - New Brunswick - 55 Commercial Avenue, New Brunswick, NJ 08901 - Tel: (732) 932-8407 / Fax: (732) 932-7215</b>											
45. Date:		46. Owner-Agent: Name			47. Owner-Agent: Signature				48. Address		
49. Remarks: <b>Report Run On Tuesday, September 24, 2019 By M. Rein</b>					50. Released By:			51. I.D.		52. <input type="checkbox"/> Must be Towed	

WHITE (Traffic & Records)

CANARY (Release)

PINK (Owner-Agent)

GOLD (Towing Agent)

N.J. ATTORNEY GENERAL'S STANDARD STATEMENT  
FOR MOTOR VEHICLE OPERATORS (N.J.S.A. 39:4-50.2(e))  
(revised & effective July 1, 2012)

Enter Defendant's Name Stephen Demico

The police officer shall read the following:

1. You have been arrested for driving while intoxicated. N.J.S.A. 39:4-50.
2. The law requires you to submit samples of your breath for the purpose of testing to determine alcohol content.
3. A record of the taking of the breath samples, including the test results, will be made. Upon your request, a copy of that record will be made available to you.
4. After you have provided samples of your breath for testing, you have the right, at your own expense, to have a person or physician of your own selection take independent samples of your breath, blood or urine for independent testing.
5. If you refuse to provide samples of your breath, you will be issued a separate summons for the refusal. A court may find you guilty of both refusal and driving while intoxicated.
6. If a court finds you guilty of the refusal, you will be subject to various penalties, including license revocation of up to 20 years, a fine of up to \$2000, installation of an ignition interlock, and referral to an Intoxicated Driver Resource Center. These penalties may be in addition to penalties imposed by the court for any other offense of which you are found guilty.
7. You have no legal right to have an attorney, physician or anyone else present for the purpose of taking the breath samples. You have no legal right to refuse to give, or delay giving, samples of your breath.
8. Any response from you that is ambiguous or conditional, in any respect, to my request that you provide breath samples, will be treated as a refusal to submit to breath testing. Even if you agree to take the test, but then do not follow my instructions, do not properly perform the test, or do not provide sufficient breath samples, I will charge you with refusal to submit to breath testing.
9. I repeat, the law requires you to submit samples of your breath for testing. Will you submit the samples of your breath?

Answer Yes

*If the arrested person does not respond, or gives any ambiguous or conditional answer short of an unequivocal "yes," the police officer shall read the following.*

Your answer is not acceptable. The law requires that you submit samples of your breath for breath testing. If you do not answer, or answer with anything other than "yes," I will charge you with refusal. Now, I ask you again, will you submit to breath testing?

Answer \_\_\_\_\_



<b>RUTGERS UNIVERSITY POLICE DEPARTMENT</b>				INCIDENT NO.		SEQUENTIAL FILE NO.	
<b>DRINKING - DRIVING REPORT</b>				19C08345		01577	
(1) DEFENDANT:		First Name	Middle Initial	Last Name		Date of Birth	
		Stephen		Demico		Privacy 1952	
(2) Street Address		(3) City and State		(4) Age	(5) Sex	(6) Weight	(7) Eye Color
Privacy		New Brunswick NJ		27	M	180	Y
(9) Summons No. (DWM/Allowing Only)		(10) Driver's License Number		State	CDL	PROVISIONAL	UNLICENSED
1214R135288		Privacy		NJ	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIOLATION:		(11) Day of Week	Violation Date		Time		
WED			08/21/2019		2211		
(12) Year/Color/ Make of Vehicle Used				(13) Registration Number		State	(14) Vehicle Code
2018 Lex White				Privacy		NJ	2
CODES: NON-CDL Vehicles: (1) Pass. Car/SW, (2) Pass. Car w/Trailer, (3) Recreation Veh., (4) Taxi/Limo, (5) Emergency Veh., (6) Motorcycle, (7) Moped, (8) Pickup, (9) Van/Step Van, (10) Truck, (11) Trk. Combo, (12) Other CDL Vehicles: TRUCK COMBO: (20) 8' x 48', (21) 8 1/2' x 48', (23) 8 1/2' x 53', (24) Dbl. Bottom, (25) Truck, (26) bus, (27) School Bus, (28) Limousine, (29) Other							
(15) Name of Vehicle Owner				(16) Address of Owner			
Stephen Demico				Privacy New Brunswick			
(17) Municipality of Violation			Mun. Code.	(18) Roadway or Location		(19) County	
New Brunswick			1214	Sewer St		Middlesex	
(20) ACCIDENT INVOLVED		(21) EXAMINATION		(22) SUMMONS ISSUED FOR			
<input checked="" type="checkbox"/> 1. NONE <input type="checkbox"/> 2. PEDESTRIAN <input type="checkbox"/> 3. FATAL <input type="checkbox"/> 4. INJURY <input type="checkbox"/> 5. 1 VEHICLE <input type="checkbox"/> 6. 2 VEHICLES OR MORE <input type="checkbox"/> 7. OTHER (explain)		<input checked="" type="checkbox"/> 1. CHEMICAL BREATH TEST <input type="checkbox"/> 2. BREATH TEST REFUSED <input type="checkbox"/> 3. OBSERVATION <input type="checkbox"/> 4. DOCTOR'S EXAMINATION <input type="checkbox"/> 5. BLOOD TEST <input type="checkbox"/> 6. URINE TEST <input type="checkbox"/> 7. NARCOTICS, HABIT PRODUCING DRUGS, OR HALLUCINOGENIC		<input checked="" type="checkbox"/> 1. 39:4-50 INFLUENCE 1214R135288 <input type="checkbox"/> 2. 39:10.13 CDL <input type="checkbox"/> 3. 39:4-14.1 BICYCLE / 29:4-14.3g MOPED <input type="checkbox"/> 4. ALLOWING <input type="checkbox"/> 5. BLOOD ALCOHOL RESULTS .09 <input type="checkbox"/> 6. 39:4-50.2 REFUSAL <input type="checkbox"/> 7. 39:3-10.24 REFUSAL <input type="checkbox"/> 8. 39:4-14/14g REFUSAL <input checked="" type="checkbox"/> 9. 39:4-50g SCHOOL ZONE 1214R137802			
<b>OBSERVATIONS WHERE:</b>							
(23) ABILITY TO WALK							
<input type="checkbox"/> UNABLE TO		<input type="checkbox"/> ON HAND & KNEES		<input type="checkbox"/> SWAYING		<input type="checkbox"/> GRASPING FOR SUPPORT	
<input type="checkbox"/> FALLING		<input type="checkbox"/> MOVED IN CIRCLES		<input type="checkbox"/> SAGGING		<input type="checkbox"/> STAGGERING	
(24) ABILITY TO STAND							
<input checked="" type="checkbox"/> SWAYING		<input type="checkbox"/> UNABLE TO STAND		<input type="checkbox"/> CONTINUAL LEANING FOR BALANCE			
<input type="checkbox"/> RIGID		<input type="checkbox"/> SAGGING KNEES		<input type="checkbox"/> FEET WIDE APART FOR BALANCE			
(25) SPEECH							
<input type="checkbox"/> SHOUTING		<input type="checkbox"/> SLOBBERING		<input type="checkbox"/> BOISTEROUS		<input type="checkbox"/> SLURRED	
<input type="checkbox"/> RAMBLING		<input type="checkbox"/> INCOHERENT		<input type="checkbox"/> WHISPERING		<input type="checkbox"/> HOARSE	
<input type="checkbox"/> WHINING		<input type="checkbox"/> STUTTERING		<input type="checkbox"/> WHINING		<input type="checkbox"/> STUTTERING	
<input type="checkbox"/> CRYING		<input type="checkbox"/> ACCENT		<input checked="" type="checkbox"/> SLOW			
(26) DEMEANOR							
<input type="checkbox"/> FIGHTING		<input checked="" type="checkbox"/> INDIFFERENT		<input type="checkbox"/> ANTAGONISTIC		<input checked="" type="checkbox"/> POLITE	
<input type="checkbox"/> EXCITED		<input type="checkbox"/> HILARIOUS		<input checked="" type="checkbox"/> COOPERATIVE		<input checked="" type="checkbox"/> CALM	
<input type="checkbox"/> CRYING						<input type="checkbox"/> CRYING	
(27) ACTIONS							
<input type="checkbox"/> PUNCHING		<input type="checkbox"/> RESISTING		<input type="checkbox"/> THUMBING NOISE		<input type="checkbox"/> DIFFICULT TO AWAKEN	
<input type="checkbox"/> KICKING		<input type="checkbox"/> PROFANITY		<input type="checkbox"/> THREATENING			
(28) EYES							
<input checked="" type="checkbox"/> BLOODSHOT		<input checked="" type="checkbox"/> WATERY		<input type="checkbox"/> DROOPY LIDS		<input type="checkbox"/> WEARING GLASSES?	
<input checked="" type="checkbox"/> GLASSY		<input type="checkbox"/> GLASS EYE?		<input type="checkbox"/> RIGHT		<input type="checkbox"/> LEFT	
<input type="checkbox"/> YES		<input type="checkbox"/> NO					
(29) CLOTHING							
<input type="checkbox"/> MUSSSED		<input type="checkbox"/> PARTLY DRESSED		<input type="checkbox"/> DEFECATED IN SAME		<input type="checkbox"/> FUMBLING	
<input type="checkbox"/> DIRTY		<input type="checkbox"/> VOMITED ON		<input type="checkbox"/> URINATED IN SAME		<input checked="" type="checkbox"/> SLOW	
(30) MOVEMENT OF HANDS							
(31) FACE							
<input checked="" type="checkbox"/> FLUSHED		<input type="checkbox"/> PALE		(32) ODOR OF ALCOHOLIC BEVERAGE ON BREATH			
				<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NONE	
(33) PRINT RANK/OFF. NAME			SIGNATURE			(34) BADGE NO.	
PO. Meschberger						3962	
						(35) REVIEWED BY	
						C. P. [Signature]	

# RUTGERS POLICE DEPARTMENT IMPROVED SOBRIETY EVALUATION FORM

SUBJECT'S NAME: Stephen Demicco

CASE#: 19C02349

TIME & DATE: 9/15 08/01/2019

OFFICER: E. Meschery

## HORIZONTAL GAZE NYSTAGMUS

CONTACT LENSES YES ☐ NO ☒

	LEFT	RIGHT
EYE DOES NOT PURSUE SMOOTHLY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
DISTINCT NYSTAGMUS AT MAX DEVIATION	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
NYSTAGMUS ONSET BEFORE 45 DEGREES	<input type="checkbox"/>	<input type="checkbox"/>

TOTAL

DECISION POINT = 4 4

*@ #3934*

## NYSTAGMUS

	0	1	2	3	4	5	6
WALK AND TURN							
1							
2							
3							
4							
5							
6							
7							
8							
9							

## WALK AND TURN

--INSTRUCTION STAGE--

CANNOT KEEP BALANCE ☒

STARTS TOO SOON ☐

--WALKING STAGE--

1ST 9 STEPS 2ND 9 STEPS

STOPS WALKING	<input type="checkbox"/>	<input type="checkbox"/>
MISSSES HEEL - TOE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
STEPS OFF LINE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
RAISES ARMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ACTUAL STEPS TAKEN	<u>9</u>	<u>9</u>

IMPROPER TURN ☒

CANNOT DO TEST ☐

(DESCRIBE TURN) Turned Around Abruptly

(EXPLAIN CANNOT DO TEST)

TOTAL

DECISION POINT = 2 4

## ONE-LEG STAND

SECONDS

	0 - 10	11 - 20	21 - 30
SWAYS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RAISES ARMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HOPS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PUTS FOOT DOWN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

CANNOT DO TEST ☐

(EXPLAIN CANNOT DO TEST)

TOTAL

DECISION POINT = 2 3

## ADVISE SUBJECT OF MIRANDA WARNINGS PRIOR TO QUESTIONING:

MIRANDA WARNINGS GIVEN BY? <u>E. Meschery</u>	WHAT HAVE YOU EATEN TODAY AND WHEN? <u>Salami &amp; Bacon Demicco</u>	TIME NOW? <u>11:25</u>	WHEN DID YOU LAST SLEEP? HOW LONG? <u>LAST NIGHT 8:00</u>
ARE YOU SICK OR INJURED? <u>NO</u>	DO YOU TAKE INSULIN? <u>NO</u>	DO YOU HAVE ANY PHYSICAL DEFECTS? <u>NO</u>	ARE YOU TAKING MEDICATION OR DRUGS? <u>NO</u>
ARE YOU DIABETIC OR EPILEPTIC? <u>NO</u>	ARE YOU UNDER A DOCTOR'S CARE? <u>NO</u>	WHAT DID YOU DRINK? HOW MUCH? <u>1 Budweiser 2013 bottle</u>	TIME OF FIRST DRINK? TIME OF LAST DRINK? <u>6:15 9:30</u>

ESTIMATED B.A.C.:

0.10% OR MORE

BELOW 0.10%

ACTUAL B.A.C.:

.09



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
INVESTIGATIONS BUREAU

INVESTIGATIONS BUREAU  
PHONE NUMBER  
866-713-8392

**DRIVING WHILE IMPAIRED - LAST DRINK LOCATION REPORT**

**INSTRUCTIONS:** To ALL LAW ENFORCEMENT OFFICERS, ENFORCING NJ's driving while impaired laws and completing the Alcohol Influence Report. Whenever a subject indicates that his/her last drink was at a location other than a private residence or public property, you must also ask for the information requested on this form, write the information in block printing using black ink, and FAX the form to the NJ Division of Alcoholic Beverage Control.

**NJABC FAX NUMBER: 609-292-1707 (24 HOURS)**

S.P. BARRACKS OR POLICE DEPARTMENT		RUPD New Brunswick		MUNICIPAL CODE		12414	
CASE #	19cc 02345	ACCIDENT INVOLVED (Y/N)	N	SERIOUS INJURY (S) FATAL (F)		N	
DATE OF ARREST		08/21/2019		TIME OF ARREST		2211	
MALE	<input checked="" type="checkbox"/>	FEMALE	<input type="checkbox"/>	AGE	67	B.A.C. (%)	.09
NAME OF PLACE WHERE LAST DRINK WAS CONSUMED		The Ficus and The Peach					
STREET		29 Dennis Street					
		New Brunswick NJ 08901					
CITY		New Brunswick NJ					

FOR NJABC USE ONLY

TRADE NAME MATCH	YES	NO
IDENTIFIED ABC LICENSE NUMBER	ATTACH PAGE TWO SCREEN PRINT	

NOTES:

REVIEWED & ENTERED DATE	REVIEWED & REJECTED DATE	OPERATOR INITIALS
----------------------------	-----------------------------	----------------------



**Rutgers Police Department**  
**Field Arrest Report**  
 55 Paul Robeson Boulevard New Brunswick, NJ 08901

Arrest Number 19-A-00318	Arrest Date Priv /2019 2211 Hrs (US/Eastern)	PBT	Fingerprint Not Printed
Location: New Brunswick, Nj 08901			
Geographic Location Rutgers PD - New Brunswick		County of Occurrence Middlesex County	
Arrest Comment Stephan Demicco (not affiliated) was placed under arrest for driving while intoxicated.			
University Affiliation Not Otherwise Affiliated			
University Residence Hall Not Applicable		Apt/Room Number	
Affiliation with Intercollegiate Athletics			

### Arrestee

Name Stephan Demicco			DOB Priv /1952	Age 67	Privacy
Sex Male	Race White	Ethnicity Not Hispanic or Latino	DL # (State) Privacy 4 (New Jersey)		
Physical Description Ht: 6' ", Wt: 180, Build: Medium, Eyes: Blue, Hair: Gray or Partially Gray, Hair Length: Short, Facial Hair: None, Skin: Light, Glasses: No					
Res. Phone Not Specified	Cell Phone Not Specified	Email			
Address (Residence) Priv NEW BRUNSWICK, NJ 08901					
Emergency Contact					
School / Employer					
Place of Birth New Jersey United States of America			Citizenship United States of America		
Caution Codes					
Aliases					

### Disposition

Disposition Released	County	Placement	Placement Date	Release Date
Comment: Stephan Demicco (not affiliated) was released on his own recognizance.				

### Identification

ID Number Privacy	ID Type OLN
----------------------	----------------

### Officers

Name	Agency	Role
Kosinski, Christopher - Police Officer #3989	Rutgers PD - New Brunswick	Assisting
Moschberger, Eric - Police Officer #3962	Rutgers PD - New Brunswick	Arresting / Citing
Roitzsch, George - Acting Sergeant #3934	Rutgers PD - New Brunswick	Assisting

### Charges

<b>Statute</b> 39:4-50	<b>CSAU</b> Original Offense	<b>Charge</b> DRIVING WHILE INTOXICATED		
<b>Charge Category</b>			<b>Charge Class</b>	
<b>Offense Count</b> 1	<b>Offense Date</b> 08/21/2019	<b>Domestic Related</b> No	<b>Bond Type</b> Personal Recognizance	<b>Bond Amount</b>
<b>Total Charge Bond Amount:</b> null				

### Incidents

<b>Report #</b> 19RC02349	<b>Supp #</b> 0	<b>Agency</b> Rutgers PD - New Brunswick	<b>Reporting Officer(s)</b> Moschberger, Eric
------------------------------	--------------------	---------------------------------------------	--------------------------------------------------





**Rutgers Police Department**  
**Calls For Service View Call Report**  
 55 Paul Robeson Boulevard New Brunswick, NJ 08901

Call #	Dispatcher	Received	Call Time	Caller Name
2019-00138371	sz386	NON 911 CALL ADMIN LINE	08/21/2019 22:11 Hrs	
Phone #	Event Type	Priority	Close Time	Disposition
	MOTOR VEHICLE STOP	High	08/22/2019 01:18 Hrs	Incident processing has been completed

### Location

Incident Location	Latitude	Longitude	Common Place
EASTON AVE/ SENIOR ST, NEW BRUNSWICK, NJ	40.501189	-74.457459	211-218 EASTON AVE / 73-199 SENIOR ST

Caller Location

### Incident Notes

**Notes**

**REMARKS/NARRATIVES:**

08/21/2019 22:11:51 SZ386: Plate: **Priva** State: NJ Status: ACTIVE

Year: 06-2020

Make: LEX Model: LS Style: 4 DR

VYR: 2018 Color: WT

VIN#: **Privacy**

Leasee: DEMICCO, STEPHAN

Addr: **Privacy** NEW BRUNSWICK, NJ 08901

SSN: **Privacy** DOB: **Priva** 1952 Age: 67

Hgt: 5-10 Wgt: 141 - 160 Sex: MALE

Eyes: BLUE

OLN: **Privacy**

Stat: ACTIVE Exp: **Privacy**

Class: D

Restr: 1. CORRECTIVE LENSES REQD STATUS/ACTIVE Points: 000

08/21/2019 22:14:29 EMOSCHBERGER: NJ DMV RESPONSE

OLN/ D24647220001524

NAM/ DEMICCO, STEPHAN

OLN EXP/ **Privacy** VEH CLASS/ D

DOB/ **Privac** 952 SEX/ MALE EYE/ BLUE HGT/ 5-10 WGT/ 141 - 160

SSN/ **Privacy** AGE/ 67 TOTAL POINTS/ 000 PHOTO/ DIGITAL PHOTO LICENSE

**Privacy**

NEW BRUNSWICK , NJ 08901-1715

08/21/2019 22:37:41 SZ386: 3962 has a new remark: sm 17930 car 15.

08/21/2019 22:43:03 SZ386: 3962 has a new remark: em 17932 car 15.

08/22/2019 00:29:46 SZ386: Name: FOX, JEANNE



Addr: 227 NEW YORK AVE, NEW BRUNSWICK, NJ 08901

SSN: 1Priva 7908 DOB: Priva 1952 Age: 67

Hgt: 5-06 Wgt: 141 - 160 Sex: FEMALE

Eyes: BLUE

OLN: Pr ivity 4 OLS: NJ

Exp Priva -2022

Class: D Type: DIGITAL PHOTO LICENSE

Restr: - Points: 000

**Officers**

Primary	Radio #	Name	Dispatch	On Scene	Clear
Y	3962	Moschberger, Eric	08/21/2019 22:11 Hrs	08/21/2019 22:11 Hrs	08/22/2019 01:18 Hrs

Agency

Rutgers PD - New Brunswick

N	3989	Kosinski, Christopher	08/21/2019 22:16 Hrs	08/21/2019 22:16 Hrs	08/21/2019 22:57 Hrs
---	------	-----------------------	----------------------	----------------------	----------------------

Agency

Rutgers PD - New Brunswick

N	3934	Roitzsch, George	08/21/2019 22:13 Hrs	08/21/2019 22:22 Hrs	08/21/2019 22:57 Hrs
---	------	------------------	----------------------	----------------------	----------------------

Agency

Rutgers PD - New Brunswick

**Incidents**

Report #	Supp #	Agency	Reporting Officer(s)
19RC02349	0	Rutgers PD - New Brunswick	Moschberger, Eric

**People**

First Name	Last Name	Race	Sex	DOB	Address
STEPHAN	DEMICCO		Male	Priva 1952	PrPrivacy NEW BRUNSWICK NJ

Phone	Roles
	Person

First Name	Last Name	Race	Sex	DOB	Address
JEANNE	FOX		Female	Priva 1952	PrPrivacy NEW BRUNSWICK NJ

Phone	Roles
	Person

**Vehicles**

VIN	Year	Make	Model	License
Privacy	2018	LEX	LS	Priva (New Jersey)