STATE OF CALIFORNIA
CALIFORNIA HIGHWAY PATROL
DRIVING UNDER THE INFLUENCE
ARREST--INVESTIGATION REPORT

CHP 202 (Rev. 5-15) OPI 061

[X] Misdemeanor [ ] Domestic Violence (Refer HPM 100.69) [ ] Felony

WHITE, MATTHEW LAWRENCE
LAST NAME, FIRST NAME, AND MIDDLE INITIAL

COURT	FILE NUMBER	EVIDENCE/PROPERTY
SACRAMENTO	CA 37111	[ ] YES [X] NO

AREA	BEAT	COLLISION REPORT NUMBER
252	192	

E

DATE/TIME OF ARREST REPORT	DATE/TIME OF INCIDENT	LOCATION OF ARREST/INCIDENT	MVARS
04/16/2016 0304	[X] SAME	47TH AVENUE AND 44TH STREET	[X] YES [ ] NO Disc # 041516-C3

CITATION NUMBER	OFFENSE(S) CHARGED OR INVESTIGATED	JUS 8715 REQUIRED
CA 37111	23152(A) CVC, 23152(B) CVC	[X] YES [ ] NO NUMBER

SUBJECT NO 1 OF 1

DEPARTMENTAL APPROVED HANDCUFFING TECHNIQUE UTILIZED [ ] YES [ ] NO [ ] OTHER OR N/A (EXPLAIN IN NARRATIVE)

NAME (last, first, middle): ~~WHITE, MATTHEW LAWRENCE~~

RESIDENCE ADDRESS: [redacted]

AKA

HOME PHONE: (916)502-1208

MAILING ADDRESS [X] SAME

RACE/ETHNICITY	SEX	BIRTHDATE	HAIR	EYES	HEIGHT	WEIGHT
White	M	[redacted]	BRN	BRN	6-02	192

PLACE OF BIRTH (city, state, country): [redacted]

DISPATCH NOTIFIED [X] YES [ ] NO

DRIVER LICENSE NUMBER	STATE	DDL STATUS	MISC (SSN, INS #, ETC.)
[redacted]	CA	VALID	[redacted]

EMPLOYER: SAC CO SHERIFF

BUSINESS PHONE

BUSINESS ADDRESS: US

TIME 0423 ID 16093 LOG ST-030

BOOKING, CII, FBI, ETC., NUMBER(S): CA 37111

WHERE BOOKED/CONFINED: Sac. Co. Main Jail

DATE/TIME: 04/16/2016 0415

FINGERPRINTED [X] YES [ ] NO

NOTIFICATION (Who, How, When) EXPLAIN IN NARRATIVE

NOTIFIED BY:

[ ] JUVENILE [ ] FOREIGN NATIONAL [ ] IMMUNITY CLAIM

VEHICLE

LICENSE	STATE	YEAR	VIN/EN NUMBER
[redacted]	CA	2016	[redacted]

VEHICLE WAS [X] PARKED [ ] RELEASED [ ] STORED [ ] RECOVERED [ ] IMPOUNDED

STORAGE AUTHORITY

VEH YEAR	MAKE	BODY STYLE	COLOR	BODY TYPE
2001	FORD	EXPLORER	BLK	SUV

LOCATION OF VEHICLE/RELEASED TO/ADDRESS/TELEPHONE NUMBER: 47TH AVENUE AND 44TH STREET

NAME OF REGISTERED OWNER [redacted] [ ] SAME AS SUBJECT

ADDRESS [redacted]

NAME OF LEGAL OWNER [X] SAME AS R/O

ADDRESS

LOCATION OF KEYS: PROPERTY BAG

WITNESS/PASSENGER/VICTIM

BIRTHDATE	SEX	NAME	ADDRESS/AGENCY	PHONE
	M	[X] WITNESS [ ] PASSENGER [ ] VICTIM OFFICER STAHR, ID# 19279	SOUTH SACRAMENTO CHP	RES: BUS: (916)681-2300
	M	[X] WITNESS [ ] PASSENGER [ ] VICTIM [redacted]	STOCKTON POLICE DEPARTMENT	RES: [redacted]
	M	[X] WITNESS [ ] PASSENGER [ ] VICTIM SERGEANT MATTHEWS, ID# 14510	SOUTH SACRAMENTO CHP	RES: BUS: (916)681-2300
		[ ] WITNESS [ ] PASSENGER [ ] VICTIM		RES: BUS:

ADMONITION OF RIGHTS

1. YOU HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
3. YOU HAVE THE RIGHT TO TALK WITH AN ATTORNEY AND TO HAVE AN ATTORNEY PRESENT BEFORE AND DURING QUESTIONING.
4. IF YOU CANNOT AFFORD AN ATTORNEY, ONE WILL BE APPOINTED FREE OF CHARGE TO REPRESENT YOU BEFORE AND DURING QUESTIONING, IF YOU DESIRE.

THE ABOVE STATEMENT WAS READ TO THE ARRESTEE BY:

[ ] NOT ADVISED [ ] ARRESTING OFFICER [ ] OR: NOT QUESTIONED I.D. TIME:

DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU?	HAVING THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO US NOW?	WAIVER STATEMENT
[ ] YES [ ] NO	[ ] YES [ ] NO	NOT QUESTIONED / NOT ADMONISHED

MISDEMEANOR INCARCERATION

(To be completed upon physical arrest for any misdemeanor, pursuant to Penal Code Section 853.6)

The person arrested:

1. [ ] was so intoxicated as to be a danger to himself/herself or others.
2. [ ] required medical examination or medical care or was otherwise unable to care for his/her own safety.
3. [X] was arrested under one or more of the circumstances listed in Sections 40302 and 40303 of the Vehicle Code (Note 5 and 8 if also applicable).
4. [ ] had one or more outstanding arrest warrants issued.
5. [ ] could not provide satisfactory evidence of personal identification.
6. [X] if released immediately, would jeopardize the prosecution of the offense or offenses for which arrested or the prosecution of any other offenses.
7. [X] would be reasonably likely to continue the offense or offenses, or the safety of persons or property would be imminently endangered if immediately released.
8. [ ] demanded to be taken before a magistrate or refused to sign the citation.
9. [ ] would not appear at the time and place specified in the notice.
10. [ ] domestic violence (refer to HPM 100.69)

ARRESTING/INVESTIGATING OFFICER (Print name/rank)	I.D. NUMBER	REVIEWED BY (Print name/rank)	I.D. NUMBER	DATE
Fuhrman / Officer	019542	S. KENT / Sgt	13432	4/16/16

WHITE, MATTHEW LAWRENCE | CA 37111/CA 37111

ALL ASKED PRIOR TO FSTS — INVESTIGATION INTERVIEW

DO YOU KNOW OF ANYTHING MECHANICALLY WRONG WITH YOUR VEHICLE? DESCRIBE. ☐ YES ☒ NO	ARE YOU SICK OR INJURED? DESCRIBE. ☐ YES ☒ NO	
ARE YOU DIABETIC OR EPILEPTIC? ☐ YES ☒ NO	DO YOU TAKE INSULIN? (Pills/Injection) ☐ YES ☒ NO	DO YOU HAVE ANY PHYSICAL IMPAIRMENTS? DESCRIBE. (Feet, Legs, Ankles or Hips) ☐ YES ☒ NO
WHEN DID YOU LAST SLEEP? LAST NIGHT	HOW LONG? 7 HOURS / WHEN DID YOU LAST EAT? 5:30 PM	DESCRIBE 4 SLICES OF PIZZA
WERE YOU DRIVING THE VEHICLE? ☐ YES ☐ NO ☒ N/A	IF NO, WHO?	WHERE DID YOU START DRIVING? FROM STOCKTON / WHERE WERE YOU GOING? TO CITRUS HEIGHTS

WHERE WERE YOU STOPPED?	WHAT HAVE YOU BEEN DRINKING?	HOW MUCH?	TIME STARTED	TIME STOPPED
44TH AND 47TH	JIM BEAM / MILLER BEER	1 SHOT / 2 BEERS	7:30 PM	10:00 PM

LOCATION WHERE YOU WERE DRINKING? NAME/ADDRESS	DO YOU FEEL THE EFFECTS OF THE DRINKS? DESCRIBE. ☒ YES ☐ NO
AT A BAR IN STOCKTON	"6" ON A SCALE OF ZERO TO TEN

DID YOU BUMP YOUR HEAD?	HAVE YOU BEEN DRINKING SINCE THE ACCIDENT?	IF YES, WHAT?	HOW MUCH?
☐ YES ☒ NO ☐ N/A	☐ YES ☐ NO ☒ N/A		

ARE YOU UNDER THE CARE OF A DOCTOR OR DENTIST?	IF YES, NAME AND ADDRESS	RECENT SURGERY PERFORMED?
☐ YES ☒ NO		☐ YES ☒ NO *(Explain in Narrative)

HAVE YOU TAKEN ANY MEDICINE OR DRUGS?	IF YES, WHAT?	HOW MUCH?	TIME OF LAST DOSAGE
☐ YES ☒ NO			

DO YOU FEEL THE EFFECTS OF THE MEDICINE/DRUGS? DESCRIBE. ☐ YES ☐ NO

N/A

OBJECTIVE SIGNS/APPEARANCE/FIELD SOBRIETY TEST LOCATION

BREATH ODOR OF ALCOHOLIC BEVERAGE PRESENT	GLASSES/LENSES	EYES (appearance)	DEMEANOR	SPEECH
☒ YES ☐ NO STRONG	☐ YES ☒ NO	RED & WATERY	COOPERATIVE & NERVOUS	SLURRED

CLOTHING WORN: CONDITION AND DESCRIPTION

BLACK T-SHIRT, BROWN VEST, BLUE DENIM JEANS, BROWN BOOTS. CASUAL AND IN USED CONDITION.

DESCRIBE TEST LOCATION, SURFACE, WEATHER, AND LIGHTING

FLAT ASPHALT PARKING LOT SURFACE. COOL, DRY, NO WIND. FLASHLIGHT, PV, AND STREET LIGHTING.

PRELIMINARY ALCOHOL SCREEN INFORMATION

P.A.S. Admonition: I am requesting that you take a preliminary alcohol screening test to further assist me in determining whether you are under the influence of alcohol. You may refuse to take this test; however, this is not an implied consent test and if arrested, you will be required to give a sample of your blood, breath, or urine for the purpose of determining the actual alcoholic and drug content of your blood.

THE SUBJECT WAS ADVISED OF THE ABOVE STATEMENT BY:

☐ N/A ☒ ARRESTING OFFICER ☐ OR I.D. TIME 0251

PAS SERIAL NUMBER	TEMPERATURE	ZEROED	RESULTS NO. 1	TIME 1	RESULTS NO. 2	TIME 2	RESULTS NO. 3 (if needed)	TIME 3
082906	17 C	☒ YES ☐ NO	☐ Refused .138	0301	.139	0303		

LOCATION OF TEST	BREATH SAMPLE	OFFICER ADMINISTERING PAS TEST	I.D. NUMBER	AREA
☒ At scene	☒ Automatic ☐ Manual	☐ OR ☒ ARRESTING OFFICER		

CHEMICAL TEST INFORMATION

☒ Implied Consent Admonishment, 23612 V.C. ☐ Refused Test(s) (Complete DS 367)	DRUG ADMONISHMENT ☒ N/A ☐ Yes ☐ Refused (Complete DS 367)	ATTACHMENTS ☐ CHP 202 DRE ☒ OTHER ONE SHEET FROM BREATH TEST

TYPE OF TEST	TIME			I.D. OF SAMPLE(S)	RESULTS IF AVAILABLE	DISPOSITION OF SAMPLE(S)
1 ☒ Breath	0333	0336		ARWD-0115	.12 .12	ATTACHED TO REPORT
2 ☐ Blood						
3 ☐ Urine						

TEST GIVEN	LOCATION WHERE TEST WAS CONDUCTED	NAME AND TITLE OF PERSON GIVING TEST OR TAKING SAMPLE
1	Sac. Co. Main Jail	☒ ARRESTING OFFICER ☐ OR
2		☐ ARRESTING OFFICER ☐ OR
3		☐ ARRESTING OFFICER ☐ OR

TROMBETTA ADVISEMENT

A. The breath testing equipment does NOT retain any breath sample for later analysis by you or anyone else.

B. If you want a sample retained, you may provide a blood or urine sample that will be retained at no cost to you. If you do so, the blood or urine sample may be tested for alcoholic or drug content by either party in a criminal prosecution.

C. Do you wish to provide an additional sample? ☐ YES ☒ NO ☐ N/A "NO"

FIELD SOBRIETY TESTS (FSTS)

Prior to beginning each field sobriety test (FST), I instructed White to put his heels and toes together and keep his hands at his sides, and not to move from that position until I instructed him to begin. I explained and demonstrated each test to White and asked if he understood the test. Prior to beginning each FST, White stated that he understood the test.

1-Horizontal Gaze Nystagmus: White was not wearing glasses, and he did not appear to have been wearing any contact lenses. White's eyes were red and watery. White exhibited lack of smooth pursuit in both eyes while following the tip of my stimulus (pen). White exhibited distinct sustained nystagmus at maximum deviation in both eyes.

2-One Leg Stand (Right Leg Lifted): While explaining and demonstrating the test to White, he lifted his right foot, which touched the top of my left foot. I reminded White again not to begin until I instructed him to do so. White put his right foot down. White counted to "7-1000" and put his right foot down. White stopped, and did not continue the test on his own. I reminded White to continue. White continued the test and put his right foot down again on "12-1000." When White continued he counted "13,14" then White put his right foot behind his left foot as he stumbled backwards. White then counted "15" with his foot still down. At this point, I instructed White to discontinue the test. During the test, White swayed side to side and lifted both arms up for balance.

3-Romberg: White tried beginning the test during my instruction. I reminded White again not to begin until I instructed him to. I continued with the instructions. White tilted his head back and closed his eyes after I explained the test to him, but he did not wait for my instruction to do so. When White closed his eyes, I instructed him to begin. White exhibited eyelid tremors during the test. White finished the test, looked at me and said "30". I asked White how many seconds he estimated. White stated "30." I asked White how many sets I asked him to estimate. White stated "30." White estimated 30 seconds in a 24 second time period on my watch.

4-Finger Count (Right Hand): I requested White to perform 3 sets. On the first set in the reverse direction, White counted "4" on his pinky finger, skipped his ring finger and counted "3" on his middle finger. White then went back to his ring finger but did not speak, then counted "2" on his middle finger, and "1" on his index finger. On the third set in the reverse direction, White went to touch his pinky finger to his thumb and completely missed. White finished the test and I asked him how many sets he completed. White stated "3". I asked White how many sets I asked him to complete. White stated "3." White performed 3 sets improperly.

5-Preliminary Alcohol Screening Device (PAS): I read White the PAS admonishment verbatim from the CHP 202S form at 0251 hours and he agreed to submit to a PAS test. Because White put a mint in his mouth at 0246 hours, I had to wait 15 minutes (until 0301 hours) to obtain the first breath sample. I advised White of this. White provided two moderate breath samples, which the

PAS device captured automatically. White completed the PAS with results of .138% BAC and .139% BAC at 0301 hours and 0303 hours, respectively. The PAS test indicated the presence of Ethyl alcohol in White's blood. The PAS serial number was 082906. (See page two for additional information).

FIRST OBSERVATIONS

On April 16, 2016 at approximately 0213 hours, I was on patrol in the county of Sacramento. I was in a fully marked CHP unit (2485) wearing full CHP uniform and traveling on northbound SR-99 in Galt. I was driving and my partner Officer Stahr, ID# 19279, was in the right front passenger seat. I received a call from CHP dispatch that an off-duty Stockton Police Officer [redacted] was following behind a possible DUI driver. The vehicle was described as a black Ford Explorer (subject vehicle – s/v) with a license plate number of [redacted] The vehicle was described as weaving all over the road. The off-duty police officer [redacted] activated his flashing emergency lights so that we could easier locate him. I obtained a visual of [redacted] following the s/v at a location of northbound SR-99, south of Florin Road in the #3 lane at approximately 0231 hours. I observed the s/v weaving from right to left in its lane. The right side tires touched the broken painted white lines and raised pavement markers as the s/v weaved to the right, and the left side tires touched the broken painted white lines and raised pavement markers as the s/v weaved to the left. I moved from the #2 lane into the #3 lane behind the s/v, and I positioned the CHP unit closer behind the s/v to begin an enforcement stop. I activated the CHP unit's forward red lights and wig-wag lights. I advised the s/v over the CHP unit's public address system (P/A) to take the next exit on the right. The s/v began yielding to the right shoulder. I continued to advise the s/v to take the exit at 47th Avenue. The s/v continued on northbound SR-99 and eventually exited at 47th Avenue. As the s/v exited at 47th Avenue, I instructed the s/v to turn right onto 44th Street. The s/v turned right onto 44th Street. I advised the s/v to turn right into the parking lot. The s/v complied with instructions and pulled into the parking lot on the southwest corner of 47th Avenue and 44th Street.

OBSERVATIONS AFTER THE STOP

I exited the CHP unit and contacted the solo male driver through an open driver's side window at 0234 hours. I advised him the reason for the stop and asked for his driver license. The male driver stated he did not have his driver license with him. The male driver then stated he was a Sacramento County Sheriff's Deputy. While speaking with the male driver, I immediately noted the strong odor of an alcoholic beverage emitting from within the s/v, he had red and watery eyes, and his speech was slurred. I asked the male driver if he had consumed any alcohol that evening. The male driver stated he had one shot and two beers. I asked the male driver to exit the s/v and had him walk to the right side of the CHP unit.

Once at the right side of the CHP unit, the male driver identified himself verbally as Matt White, and stated his driver license number as [redacted] White stated to me that he was texting and

that was why he was weaving. I asked White a series of pre field sobriety test questions and had him perform a series of field sobriety tests (FSTS). While speaking with White, I continued to note the strong odor of an alcoholic beverage emitting from his breath and person, he had red and watery eyes, his speech was slurred, and he stood with an unsteady gait. While asking White pre-FST questions, I asked White on a scale of zero to ten, zero being sober and ten being the drunkest he has ever been, how he felt. White stated a "6". I asked White what he had to drink that evening. White stated he had two Miller beers and one shot of Jim Beam. While I was explaining the Romberg test to White, he put a mint in his mouth. Officer Stahr asked White what he put in his mouth. White stated a mint. I advised White to take the mint out of his mouth. White removed the Mint at 0246 hours (on my watch) and threw it on the ground. White asked us if he could just call a ride. I told White we could not let him call a ride. White also stated that he was going to get fired. I asked White if he thought he should be driving. White stated "no". Sergeant Matthews, ID# 14510, arrived on scene to assist prior to the PAS test. White did not perform the FSTS as explained and demonstrated. I formed the opinion White had been driving while under the influence of an alcoholic beverage. This was based on his improper driving, his objective signs of intoxication, his performance on the FSTS, and by my observations. I determined that further operation of a motor vehicle would be unsafe.

ARREST

I arrested White for 23152(a) VC (Misdemeanor DUI alcohol). I handcuffed White in accordance with CHP policy. The handcuffs were checked for proper fit and double-locked. I advised White of implied consent (23612 VC) and he chose the breath test. I searched White and placed him in the right rear passenger seat of the CHP unit. White was transported to the Sacramento County Main Jail for a breath test and booking. I observed White for over fifteen minutes prior to the breath test. White did not do anything to compromise the validity of the test. White completed the breath test with results of .12% BAC and .12% BAC at 0333 hours and 0336 hours, respectively. I advised White of Trombetta and he declined. I booked White into the Sacramento County Main Jail #1 for 23152(a) VC (Misdemeanor DUI alcohol) and 23152(b) VC (Misdemeanor DUI .08% BAC or above) at 0415 hours. The breath results are attached to this report.

ADDITIONAL INFORMATION

The off-duty police officer witness was identified by CHP dispatch as [redacted] with the Stockton Police Department. Officer [redacted] contacted me via telephone on 4/16/2016 at approximately 2020 hours to provide his statement. Officer [redacted] provided me a statement of what he had observed. Officer [redacted] related the following, in essence: He was driving on northbound SR-99 at Armstrong in the #3 lane. The s/v was to his left in the #2 lane. SR-99 at that location is three lanes. As he was driving, the s/v weaved to the right into the #3 lane. Officer [redacted] had to swerve to the right into the shoulder to avoid a collision. The s/v fluctuated its speeds during the entire time he saw the s/v driving. The s/v would slow to 40 mph, speed up to 70 mph, and drop back down to 40 mph and back up to 70 mph several times. SR-99 eventually

became two lanes and he pulled to the left of the s/v. He observed the driver with his cell phone in his hand, looking down at his phone, and scrolling and touching the phone with his thumb. He continued to watch the s/v and the s/v could not maintain its lane the entire time he observed the s/v. The s/v nearly collided into the center median at one point, and almost hit a big-rig as it weaved all over the road. The big rig honked at the s/v and the s/v continued weaving in and out of its lane. [redacted] stated he then got behind the s/v and called 911.

After placing White under arrest, I gave him the option for us to lawfully store the s/v or to park it. White wanted us to park s/v at the location of the stop. The s/v was parked and locked by Officer Stahr at the location of the stop at 47th Avenue and 44th Street. The keys were booked into White's property at the jail.

"This event involved a CHP patrol vehicle equipped with an MVARS (Mobile Video/Audio Recording System) that was activated during the event which may or may not have captured all information relevant to the event. The recording is maintained at the CHP office where the officer is assigned" (MVARS disk #041516 / C3, Event #17).

RECOMMENDATIONS

I recommend this report be forwarded to the Sacramento County District Attorney's office for review and prosecution of White for the following charges:

23152(a) VC - Misdemeanor DUI alcohol
23152(b) VC - Misdemeanor DUI .08% BAC or above

Dräger Alcotest® 7110 MK III-C Precautionary Checklist

Subject WHITE MATTHEW L. Date 4.16.16

Officer FUHRMAN #19542 Agency CHP S.

1. Continuously observe subject for at least fifteen minutes prior to starting the test, during which time the subject must not have ingested alcoholic beverages or other fluids, regurgitated, vomited, eaten, or smoked.

ATTACH BREATH RECORD HERE

2. Insert new, clean mouthpiece into Breath Inlet Hose.

3. Push the orange button next to the display to start the test. If the instrument displays "NOT READY" and "WARMING UP", it will take two minutes for the instrument to warm up. When the display shows "READY", press the orange button again to start the test.

4. Enter your LAST NAME and then your CERTIFICATION NUMBER. You can review your information by pressing "Y" at the "REVIEW DATA <Y/N>" prompt.

5. At the prompt, indicate if the subject's driver license is in possession. If yes, swipe the card and then review the subject's information for accuracy. If no, manually enter the subject's information. The subject's information can be reviewed by pressing "Y" at the "REVIEW DATA <Y/N>" prompt.

6. Enter the first time observed in the following format: MMDDYYYY HHMM. Be sure to put a space between the date and time. (If 15 minutes has not passed since the first time observed, the instrument will start a countdown timer for the remaining time before the test can be continued.)

7. Ask the subject if they regurgitated during the observation period and enter their response at the "REGURGITATED <Y/N>" prompt. If "Y" is selected, the instrument will initiate a 15-minute timer before the test can be continued.

8. Instrument will display "PURGING", then "AMBIENT AIR CHECK" and then "AIR BLANK CHECK". When instrument displays "PLEASE BLOW/R", obtain the first breath sample from the subject.

9. Instrument will display "PURGING", then "AMBIENT AIR CHECK" and then "AIR BLANK CHECK". When instrument displays "PLEASE BLOW/R", obtain the second breath sample from the subject.

10. If the two sets do not agree by 0.02%, the instrument will display "NO.02 AGREEMENT" and then repeat step 8 to obtain a third breath sample from the subject.

11. Instrument will display "DATA STORED", and then print out two copies of the results. Sign both copies. Attach the first copy to this checklist. Place the other copy in the designated drop box.

12. Remove and dispose of the mouthpiece in a sanitary manner.

Revised 10/06/2005

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**********************
*  SACRAMENTO COUNTY  *
*    LABORATORY OF    *
*  FORENSIC SERVICES  *
**********************
  ALCOTEST 7110 MKIII-C
SERIAL NO.:    ARWD-0115
SEQ. TEST#:        08249
TEST DATE :  04/16/2016
LOCATION  :      JAIL-B
**********************
*     SUBJECT DATA     *
LAST:             WHITE
FIRST:          MATTHEW
MIDDLE INIT.:
D.O.B.:
DL #:
DL STATE:
ID #:
**********************
*     SUBJECT TEST     *
OBSERVATION START: 02:46
REGURGITATED:         NO
DIAGNOSTIC:           OK
AIR BLANK 0.00     03:32

BREATH SAMPLE #1
SUBJ.TEST 0.12     03:33
SUBJ. EC  PASS     03:33
AIR BLANK 0.00     03:35

BREATH SAMPLE #2
SUBJ.TEST 0.12     03:36
SUBJ. EC  PASS     03:36
AIR BLANK 0.00     03:36

UNITS:----G/210L -----TIME
DIAGNOSTIC:           OK
**********************
*     OFFICER DATA     *
NAME:          FUHRMAN
BADGE #:         19542
DEPT.:           SCHP
CASE #:       CA37111
OFFICER SIGNATURE:
                 19542
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STATE OF CALIFORNIA DMV DEPARTMENT OF MOTOR VEHICLES
A Public Service Agency

AGE 21 AND OLDER OFFICER'S STATEMENT

SECTIONS 13353, 13353.1, 13353.2 & 13389 CALIFORNIA VEHICLE CODE (CVC)

APS

FORWARD THIS FORM WITHIN 5 BUSINESS DAYS TO YOUR LOCAL DRIVER SAFETY OFFICE, LISTED ON THE BACK OF PAGE 2

COMPLETE IN BLACK INK

AW ENFORCEMENT AGENCY CASE NO.	DETENTION/ARREST DATE	FOR DMV USE ONLY
CA 37111	4-16-16	

DRIVER'S NAME (LAST, FIRST, M.I.): WHITE MATTHEW L

DRIVER LICENSE NO.: [redacted] | COMMERCIAL? ☐ Yes ☒ No | STATE: CA | THUMB PRINT (Rig [redacted]

MAILING ADDRESS: [redacted] STATE ZIP CODE

DOB: [redacted] Sex: M Hair: BRN Eyes: BRN Ht.: 6-2 Wt.: 195

Driver License: ☐ Suspended/Revoked ☒ Surrendered (Attached) ☐ Unlicensed

- ☐ 0.01% or more BAC DUI Probation
- ☐ 0.04% or more BAC/COMM VEH
- ☒ 0.08% or more BAC Chemical Tests Results
- ☐ PAS or other Chemical Test Refusal – (DUI Probation) (Complete reverse)
- ☐ Chemical Test Refusal (Complete reverse)
- ☐ Forced Blood Test (Complete reverse)

Vehicle Lic. No. or VIN [redacted]

☐ **COMMERCIAL VEHICLE:** Vehicle operation requires a **commercial** driver license (Section 15210 CVC).

☐ **HAZARDOUS MATERIALS:** (transporting materials requiring placards/markings per Section 27903 CVC).

On 4-16-16 at 2:31 (AM)/PM in *(City and County)* SACRAMENTO CA, the above named driver was:

☒ Driving: ☒ observed by this officer or ☐ the observer shown in the shaded area on the second page, ☐ admitted to driving.

☐ Contacted per Section 40300.5 CVC. (Describe details in probable cause section on second page.)

☐ Involved in a collision. Attach collision report. In the probable cause section on the second page, describe how time of collision was established.

I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was lawfully arrested, or lawfully detained while on DUI probation, by this officer, or by the person shown in the shaded area on the second page on 4-16-16 (Month/Day/Year) at 3:04 (AM)/PM for violation of Section 23152 or 23153, 23154 CVC.

PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on second page of this form hereby incorporated by reference.

OBJECTIVE SYMPTOMS OF INTOXICATION: ☒ Bloodshot/watery eyes ☒ Odor of alcoholic beverage ☒ Unsteady gait ☒ Slurred speech ☐ Other: _____ Observed by: FUHRMAN at 3:03 (AM)/PM

PRELIMINARY ALCOHOL SCREENING TEST 0.01% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC) DUI PROBATION

Driver submitted to and completed a Preliminary Alcohol Screening (PAS) test with the results of:

TEST 1 .138 % BAC on 4-16-16 (DATE) at 3:01 (TIME) (AM)/PM **TEST 2** (Optional) .139 % BAC on 4-16-16 (DATE) at 3:03 (TIME) (AM)/PM

OFFICER'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California that (1) I obtained the above PAS test results in the regular course of my duties, (2) I used PAS Model (Name/Number) ALCO SENSOR IV, Serial# 082906, Manufactured by INTOXIMETERS INC, (3) I administered this PAS test properly in accordance with the manufacturer's guidelines and instructions, (4) I have received training on the proper operation of this device and administration of the PAS test and am competent and qualified to operate the device, and (5) the device was functioning properly at the time of the test. ☐ PAS Test Unavailable

Date 4-16-16 Signature X [signature] BADGE/ID NO. 19542 Agcy./Div. CHP SOUTH SAC

CHEMICAL TEST

Breath Test Results (Attach copy of the results, if available)

TEST 1 .12 % BAC on 4-16-16 (DATE) 3:33 (TIME) (AM)/PM **TEST 2** .12 % BAC on 4-16-16 (DATE) 3:36 (TIME) (AM)/PM **TEST 3** ___ % BAC on _____ (WHEN APPLICABLE) (DATE) (TIME) AM/PM

BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.

Date 4-16-16 Signature X [signature] Badge/ID No. 19542 Agcy./Div. CHP SOUTH SAC

Blood Test Results ☐ Blood Test on _____ (DATE) (TIME) AM/PM ☐ Breath Test Unavailable

Urine Test Results ☐ Both Breath and Blood tests unavailable. ☐ Drug use suspected. ☐ Urine required.

☐ Urine Test First Void on _____ (DATE) (TIME) AM/PM Test on _____ (DATE) (TIME) AM/PM

I certify under penalty of perjury, under the laws of the State of California, that the information contained on all pages of this Officer's Statement is true and correct.

EXECUTED ON: Date 4-16-16 AT: City SACRAMENTO County SACRAMENTO State CA

OFFICER'S PRINTED NAME	BADGE/ID NO.	TELEPHONE NO.
FUHRMAN	19542	(916) 681-2300
AGENCY	**AREA**	**COURT CODE (IF UNKNOWN, COURT NAME)**
CHP SOUTH SAC	252	SA

I ☒ did ☐ did not personally serve a copy of the Order of Suspension/Revocation to the driver.

ISSUE DATE OF ORDER	SIGNATURE OF ARRESTING OFFICER
4-16-16	X [signature]

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE	OFFICER'S PRINTED NAME	BADGE/ID NO.	SIGNATURE OF OFFICER
			X

A Public Service Agency

OFFICER'S STATEMENT - PAGE 2
SECTIONS 13353, 13353.1, 13353.2 AND 13389 CVC

APS

COMPLETE IN BLACK INK

LAW ENFORCEMENT AGENCY CASE NO.	DETENTION/ARREST DATE	FOR DMV USE ONLY
CA 37111	4-16-16	

DRIVER'S NAME (LAST, FIRST, M.I.): WHITE MATTHEW L

DRIVER LICENSE NO.: [redacted] | COMMERCIAL? ☐ Yes ☒ No | STATE: CA | THUMB-PRINT: [redacted]

MAILING ADDRESS: [redacted] STATE ZIP CODE

DOB: [redacted] Sex: M Hair: BRN Eyes: BRN Ht.: 6-2 Wt.: 195

Driver License: ☐ Suspended/Revoked ☒ Surrendered (Attached) ☒ Temporary Possession ☐ Unlicensed

- ☐ 0.01% or more BAC DUI Probation
- ☐ 0.04% or more BAC/COMM VEH
- ☒ 0.08% or more BAC Chemical Tests Results
- ☐ PAS or other Chemical Test Refusal – (DUI Probation)
- ☐ Chemical Test Refusal
- ☐ Forced Blood Test

Complete shaded area only if driving/collision observed by someone other than arresting officer or arrest done by another officer.

☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen	☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen
NAME (PLEASE PRINT)	NAME (PLEASE PRINT)
ADDRESS	ADDRESS
TELEPHONE NO. ( ) OFFICER'S BADGE/ID NO. OFFICER'S AGENCY	TELEPHONE NO. ( ) OFFICER'S BADGE/ID NO. OFFICER'S AGENCY

PROBABLE CAUSE ***(DESCRIBE IN DETAIL THE FACTS AND CIRCUMSTANCES THAT LED TO THE STOP OR CONTACT.) THE NARRATIVE MUST BE AN ORIGINAL. PRINT OR WRITE DIRECTLY ON THIS PAGE. (A SYNOPSIS OF THE SUPPLEMENTAL REPORT MAY BE CUT AND PASTED BELOW AND MUST BE DATED AND CONTAIN AN ORIGINAL SIGNATURE.) (FOR DUI PROBATION VIOLATIONS) CLEARLY INDICATE BELOW HOW YOU DETERMINED THE DRIVER WAS ON DUI PROBATION.***

On April 16, 2016 at approximately 0213 hours, I was on patrol in the county of Sacramento. I was in a fully marked CHP unit (2485) wearing full CHP uniform and traveling on northbound SR-99 in Galt. I was driving and my partner Officer Stahr, ID# 19279, was in the right front passenger seat. I received a call from CHP dispatch that an off-duty Stockton Police Officer [redacted] D# [redacted] was following behind a possible DUI driver. The vehicle was described as a black Ford Explorer (subject vehicle – s/v) with a license plate number of [redacted] The vehicle was described as weaving all over the road. The off-duty police officer [redacted] activated his flashing emergency lights so that we could easier locate him. I obtained a visual of [redacted] following the s/v at a location of northbound SR-99, south of Florin Road in the #3 lane at approximately 0231 hours. I observed the s/v weaving from right to left in its lane. The right side tires touched the broken painted white lines and raised pavement markers as the s/v weaved to the right, and the left side tires touched the broken painted white lines and raised pavement markers as the s/v weaved to the left. I moved from the #2 lane into the #3 lane behind the s/v, and I positioned the CHP unit closer behind the s/v to begin an enforcement stop. I activated the CHP unit's forward red lights and wig-wag lights. I advised the s/v over the CHP unit's public address system (P/A) to take the next exit on the right. The s/v began yielding to the right shoulder. I continued to advise the s/v to take the exit at 47th Avenue. The s/v continued on northbound SR-99 and eventually exited at 47th Avenue. As the s/v exited at 47th Avenue, I instructed the s/v to turn right onto 44th Street. The s/v turned right onto 44th Street. I advised the s/v to turn right into the parking lot. The s/v complied with instructions and pulled into the parking lot on the southwest corner of 47th Avenue and 44th Street.

E Le ID#19542 4-16-2016

ARREST REPORT-BLACK INK ONLY
SACRAMENTO COUNTY JAIL

Packet ID: 030422

Arrest Report Number: CA 37111

Arresting Agency: .CAL HIGHWAY PATROL

Arresting Type: Fresh

Arrestee: WHITE, MATTHEW

XREF: 3981864

Charge	CNT	MISD	FEL	WRNT	CRIME TITLE
VC 23152(A)	1	X			Driving Under Influence Of Alcohol
VC 23152(B)	1	X			Driving With B.A. Of 0.08 Percent Or More

BAIL	
Registry	
Fingerprint	
CII	
FBI	
XREF	3981864

Last Name	First Name	Middle Name	Nickname
WHITE	MATTHEW	LAWRENCE	

Home Address	City	State	Zip	Place of Birth
[redacted]	[redacted]	CA	[redacted]	[redacted]

DOB	Sex	Race	HGT	WGT	Hair	Eye	Home Phone	Alt Phone
[redacted]	M	W	601	195	BRO	BRO	[redacted]	--

OLN	State	SSN	Employer	Employer Phone
[redacted]	CA	[redacted]		--

NOK/Parent/Guardian	Address	Phone	Notified
		--	No

Vehicle License	Make	Model	Year	Style	Color
[redacted]	Ford	Explorer	2001	SUV	Black

Towed By	Left at Address	Other
	47TH AND 44TH	

Location of Crime	Date/Time of Crime	Victim/Complainant Name	Victim/Complainant Address
47TH AND 44TH CA			

Location of Arrest	Date/Time Arrested	Date/Time Booked
47TH AND 44TH , CA	04/16/2016 03:04	

Arrestee Sobriety	BAC	Tested
~~Under Influence~~	0.12	Breath

Accomplices/Crime Partners:	Assaultive	Combative	Uncooperative	Cooperative

Fingerprint

I declare the above named person has been arrested and is detained in the Sacramento County Jail. I am informed of and believe the facts below, which establish probable cause to detain this individual. **Evidence establishing a crime was committed and the arrested person committed the crime:**

☐ Witness ☐ Victim ☒ Officer stated he/she saw/heard the following:

ON 4-16-2016 AT APPROXIMATELY 0213 HOURS, I RECIEVED A CALL FROM CHP DISPATCH THAT AN OFF DUTY STOCKTON POLICE OFFICER [redacted] WAS FOLLOWING BEHIND A POSSIBLE DRUNK DRIVER. THE VEHICLE WAS DESCRIBED AS A BLACK FORD EXPLORER (SUBJECT VEHICLE - S/V) WEAVING ALL OVER THE ROAD. I RESPONDED FROM N/B SR-99 IN GALT. THE OFF DUTY POLICE OFFICER ACTIVATED HIS FLASHING EMERGENCY LIGHTS SO THAT WE COULD LOCATE HIM EASIER. I OBTAINED A VISUAL OF THE S/V AT A LOCATION OF N/B SR-99 SOUTH OF FLORIN IN THE #3 LANE AT APPROXIMATELY 0231 HOURS. I OBSERVED THE S/V WEAVING FROM RIGHT TO LEFT IN ITS LANE. THE RIGHT SIDE TIRES TOUCHED THE BROKEN PAINTED WHITE LINES AND RAISED PAVEMENT MARKERS, AND THE LEFT SIDE TIRES ALSO TOUCHED THE BROKEN PAINTED WHITE LINES AND RAISED PAVEMENT MARKERS AS THE S/V WEAVED. I POSITIONED MY CHP UNIT BEHIND THE S/V AND INITIATED AN ENFORCEMENT STOP ON THE S/V. I ADVISED THE S/V TO TAKE THE NEXT EXIT AT 47TH AVE. THE S/V EXITED AT 47TH AVE. I INSTRUCTED THE S/V TO PULL INTO THE PARKING LOT AT 47TH AVE AND 44TH ST AND THE S/V COMPLIED WITH INSTRUCTIONS. I EXITED MY CHP UNIT AND MADE CONTACT WITH THE SOLO MALE DRIVER THROUGH AN OPEN

******* Probable Cause Continues on Next Page. Exceeded 14 Lines *******

ARREST REPORT-BLACK INK ONLY
SACRAMENTO COUNTY JAIL

Packet ID: 030422

Arrest Report Number: CA 37111

Arresting Agency: CAL HIGHWAY PATROL

Arresting Type: Fresh

Arrestee: WHITE, MATTHEW

XREF: 3981864

RIVER'S SIDE WINDOW AT 0234 HOURS. I ADVISED THE DRIVER THE REASON FOR THE STOP AND ASKED FOR HIS DRIVER LICENSE. THE MALE DRIVER IDENTIFIED HIMSELF VERBALLY AS MATT WHITE, AND STATED HE DID NOT HAVE HIS DRIVER LICENSE, BUT THAT HIS DRIVER LICENSE NUMBER WAS [redacted] WHITE STATED HE WAS A SACRAMENTO COUNTY SHERIFF'S DEPUTY. WHILE SPEAKING WITH WHITE, I IMMEDIATELY NOTED THE STRONG ODOR OF AN ALCOHOLIC BEVERAGE EMITTING FROM WITHIN THE S/V, HIS SPEECH WAS SLURRED, AND HIS EYES WERE RED AND WATERY. I ASKED WHITE IF HE HAD CONSUMED ANY ALCOHOL THAT EVENING. WHITE STATED HE HAD TWO BEERS AND ONE SHOT. I ASKED WHITE TO EXIT THE S/V AND HAD HIM WALK TO THE RIGHT SIDE OF MY CHP UNIT. ONCE AT THE RIGHT SIDE OF MY CHP UNIT, I ASKED WHITE A SERIES OF PRE-FST QUESTIONS AND HAD HIM PERFORM A SERIES OF FSTS. WHILE ASKING WHITE PRE-FST QUESTIONS, I ASKED HIM ON A SCALE OF ZERO TO TEN HOW, ZERO BEING SOBER AND TEN BEING THE DRUNKEST HE HAS EVER BEEN, HOW HE FELT. WHITE STATED '6' WHITE ASKED IF HE COULD CALL A RIDE, AND HE PLEADED ME NOT TO ARREST HIM. WHITE DID NOT PERFORM THE FSTS AS EXPLAINED AND DEMONSTRATED. I DETERMINED FURTHER OPERATION OF A MOTOR VEHICLE WOULD BE UNSAFE. THIS WAS BASED ON HIS IMPROPER DRIVING, HIS OBJECTIVE SIGNS OF INTOXICATION, HIS PERFORMANCE ON THE FSTS, AND BY MY OBSERVATIONS. I PLACED WHITE UNDER ARREST FOR 23152(A) CVC AT 0304 HOURS. THE S/V WAS PARKED AND LOCKED AT 47TH AVE AND 44TH ST PER WHITE'S REQUEST. I ADVISED WHITE OF IMPLIED CONSENT AND HE CHOSE THE BREATH TEST. WHITE WAS TRANSPORTED TO SACRAMENTO COUNTY MAIN JAIL FOR A BREATH TEST AND BOOKING. ONCE THE BREATH TEST WAS CONCLUDED, WHITE WAS BOOKED INTO THE SACRAMENTO COUNTY MAIN JAIL FOR 23152(A) CVC AND 23152(B) CVC.

BLACK T-SHIRT, BROWN VEST, BLUE JEANS, BROWN BOOTS.

Arresting Officer Name	Badge	Division	Officer Signature
M. Fuhrman	19542		

Judges Signature	☐ Declaration DOES establish probable cause to believe this arrested person committed a crime. ☐ Declaration DOES NOT establish probable cause to believe this arrested person committed a crime


CALIFORNIA DRIVER LICENSE

DL [redacted]
EXP 07/07/2020 CLASS CM1
LN WHITE
FN MATTHEW LAWRENCE
[redacted]
RSTR
SEX M HAIR BRN EYES BRN
HGT 6'02" WGT 192 lb
DD 07/13/2015430900CCF0/20 ISS 04/05/2016

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
NOTICE TO APPEAR
CHP 215 (REV. 06-15)

CA 37111

☒ MISDEMEANOR ☐ Traffic ☐ Nontraffic

Date of Violation	Time		Day of the Week	
4-16-16	3:04	☒ AM ☐ PM	S M T W T F (S)	☐ CHP 215s ☐ Accident

Name (First, Middle, Last): MATTHEW LAWRENCE WHITE ☐ Owner's Responsibility (§40001 VC)

Addre [redacted]

City [redacted] State CA ZIP Code [redacted]

Driver Li [redacted] State CA Commercial ☐ Yes ☒ No Age Birth Date [redacted]

Sex	Hair	Eyes	Height	Weight	Race/Ethnicity
M	BRN	BRN	6-02	192	W

V [redacted] State CA Reg Exp. 09-16 ☐ COMMERCIAL VEHICLE (§15210(b) VC)

Yr. of Veh.	Make	Body Style	Color	Veh. Type	☐ HAZARDOUS MATERIAL (§353 VC)
01	FORD	EXPLORER	BLK	07	

Evidence of Financial Responsibility or CHP/DOT/PUC/ICC: BINDER

[redacted] ☐ Same as Driver

☐ Same as Driver

Ci [redacted]

Correctable Violation (§40610 VC) ☒ Booking Required (See Reverse) Misdemeanor or Infraction (Circle)

Yes	No	Code and Section	Description	
☐	☒	23152(A) VC	MISD. DUI ALCOHOL	M I
☐	☒	23152(B) VC	DUI ALCOHOL .08% BAC OR ABOVE	M I
☐	☐			M I
☐	☐			M I

Speed Approx.	P.F./Max Spd.	Veh. Lmt.	Safe	Special
>				

Location of Violation(s) at: 47TH AVE AND 44TH ST.

Beat	Area	Perm. Area	☐ Radar/Lidar Unit/Patrol Vehicle No.	☒ MVARS
192	30	252		

☐ Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.
Executed at (place): SAC CO., California

Dec. Date	Arresting or Citing Officer	I.D. No.	Vacation Dates
4-16-16	FUHRMAN	19542	to

Perm Area: to

Dec. Date	Name of Arresting Officer, if different from Citing Officer	I.D. No.	Vacation Dates

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

X SIGNATURE: IN CUSTODY

CA 37111

WHEN: DATE: TIME: ☐ AM ☐ PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE

WHERE: ☒ SUPERIOR COURT ☐ JUVENILE

ADDRESS: 720 9TH ST.

PHONE NO.: SACRAMENTO, CA 95814 916-874-5522

☐ To be notified
☐ You may arrange with the clerk to appear at a night session of the court.

Judicial Council of California Form TR-130
Rev. 08-26-15 (§§ 40500(b), 40513(b), 40522, 40600 VC; § 853.9 PC.) SEE REVERSE

CA37111