



## ARREST REPORT (Additional Narrative)

Agency Name <b>Rdu Int'l Airport Police Department</b>	ORI <b>NC0921500</b>	Date/Time Arrested <b>09/12/2011 13:52</b>	OCA <b>110912079</b>
Arrestee Name <b>HARDY, MATTHEW MOORE</b>			Arrest Number <b>1187</b>

Terminal Blvd., and upon my order, made a left turn into the north-end parking section of the main parking plaza. As Mr. Hardy was making the left turn, his vehicle swerved into the curb and then back onto the road. Mr. Hardy came to a stop in the service court and I approached the vehicle. Mr. Hardy was sitting in the front seat with his seat belt on and both hands on the steering wheel. I asked Mr. Hardy how he was doing and he mumbled, "Alright". I asked where he was going and he said, "To pick up my girlfriend". Mr. Hardy's speech was very slurred and he made a concentrated effort to speak "normally". Mr. Hardy's appearance was neat, but his speech was very slow and slurred, and he had trouble focusing on me while I was speaking to him. He was able to answer questions but after hesitating and then slurring his speech.

## Vehicle Stop:

Sgt. Larson activated her emergency lights and stopped the vehicle. The driver stopped the vehicle as soon as the emergency lights were activated. However, Sgt. Larson twice requested that Mr. Hardy pull into the entrance of the north section of the main parking deck.

## Driver Contact:

Sgt. Larson: As noted above. After my initial contact, I asked Mr. Hardy if he had been drinking. He said, "No", and I asked if he was okay. He said, "Yes". I explained that we received a phone call about his vehicle, stating that the caller said that his vehicle was "all over the road" and that he almost hit two drivers three separate times. Mr. Hardy did not respond. I then asked Mr. Hardy to step out of the vehicle, and he began to open his driver-side door. The vehicle rolled forward and I yelled for him to put the vehicle in park. Mr. Hardy put the vehicle in park and stepped out of the vehicle. He moved to the left rear side of the vehicle and leaned on the trunk. At this time, I turned the traffic stop over to Officer Smith. I then checked the vehicle to ensure that it was in park. It was, and I removed the keys from the ignition.

Officer Smith: Upon my arrival, I did witness Hardy attempting to exit the vehicle without placing the car in park. After Hardy secured the vehicle, I asked him to exit the vehicle. I did notice that Hardy had slow and slurred speech, sleepy eyes and a very lackadaisical demeanor.

## Field Sobriety Tests:

Sgt. Larson performed the initial contact with the driver. Based on her statements and contact with Mr. Hardy, she had Mr. Hardy step out of the vehicle in order to conduct further field sobriety tests. Mr. Hardy was asked if he would complete these tests, to which he agreed.

I started the field tests with the Walk-and-Turn test. After giving Mr. Hardy instructions and demonstrating the test, Hardy stated that he understood and I asked Mr. Hardy to begin. Mr. Hardy took four heel-to-toe steps then mis-stepped and had to begin again. I allowed him to complete the first nine steps and then Mr. Hardy turned around to complete the second set of nine steps. After taking two steps, Mr. Hardy lost his balance and failed to stay on the line. I asked him to continue, and he was only able to take three additional steps before failing to complete the test. I explained and demonstrated the test to Mr. Hardy again, and asked him to complete the test. He was only able to take two or three steps before failing to remain heel-to-toe and losing his balance. I then stopped this test.

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I conducted the horizontal gaze nystagmus test with negative results (the test did not show nystagmus to any degree in either eye). At Sgt. Larson's request, Sgt. Elena Sanchez of the Morrisville Police Department arrived on scene at approximately 1412 hours with a Portable Breathalyzer Test (PBT) machine. She asked Mr. Hardy if he would be willing to submit to the PBT and he agreed. She explained the test to Mr. Hardy and he blew into the PBT for the first time. The time was 1415 hours, and the result was 0.00. Sgt. Sanchez had Mr. Hardy complete the test a second time at 1421 hours. The result was 0.00.

Finally, I asked Mr. Hardy would he submit a another SFST. I explained and demonstrated the One-Leg Stand test to Mr. Hardy. Mr. Hardy acknowledged that he understood my instructions. As Mr. Hardy attempted to perform the test on two different occasions, he was unable to hold his leg up past 1 second.

DRE Field Sobriety Tests: At approximately 1730 hours, Drug Recognition Officer and NC State Highway Patrol Trooper H.C. Ellefson arrived on scene. Trooper Ellefson performed a battery of Standardized Field Sobriety Test (SFST) to further determine if Hardy was under the influence of any illicit substances.

## Arrest:

I placed Mr. Hardy under arrest for Driving Under the Influence in violation of G. S. 20-138.1. Mr. Hardy was taken to the Wake County Public Safety Center for booking and processing.

## Disposition of Vehicle:

Mr. Hardy's vehicle, a red 2011 Chevrolet Camaro, was driven to his residence by his girlfriend, Rebecca Victoria Reyes (FL DL R-200-738-86-786-0).

## Implied Consent :

Mr. Hardy submitted to all requested Standard Field Sobriety Tests while on scene. Mr. Hardy also submitted to a battery of field sobriety tests and interview by Drug Recognition Officer and State Highway Patrol trooper Ellefson. Additionally, Mr. Hardy consented to a blood specimen draw at the Wake County Jail. This specimen was drawn, secured, and placed in a sealed evidence pouch and entered into RDU Airport Police Department's evidence locker #40.

## Final Disposition:

Magistrate Cronk found probable cause for my arrest, and Mr. Hardy was charged with Driving Under the Influence and served with the same. Mr. Hardy was given a written promise to appear and was released. Mr. Hardy is scheduled to appear at the Wake County Courthouse in Raleigh on Wednesday, November 30, 2011 at 0900 hours.

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