



Rhode Island State Police Headquarters
Arrest Report

Page: 1
04/22/2009

Arrest #: 09RIK2-276-AR
Call #: 09-21473

Date/Time Reported: 04/22/2009 @ 0108
Arrest Date/Time: 04/22/2009 @ 0115
Booking Date/Time: 04/22/2009 @ 0128
Court: 3rd District Court
Court Date: 04/22/2009 @ 0900
Reporting Officer: TROOPER MICHAEL BROCK
Assisting Officer: TROOPER CHARLES LEVALLEY
Booking Officer: TROOPER MICHAEL BROCK



Released: 04/22/2009 @ 0300

DEFENDANT(S) SEX RACE AGE SSN PHONE

1 SULLIVAN, RAYMOND J
2 CORNELL CT
COVENTRY RI 02816

M W 32

BODY: [REDACTED]
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]

COMPLEXION: [REDACTED]
PLACE OF BIRTH: [REDACTED]
ETHNICITY: [REDACTED]

[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: TROOPER MICHAEL BROCK DATE/TIME: 04/22/2009 @ 0115
PHONE USED: Y PHONED DATE/TIME: 04/22/2009 @ 0155
ARRESTEE SECURED: N
FINGERPRINTED: Y
PHOTOGRAPHED: Y
SUICIDE CHECK: Not Performed
PERSONS: State&Federal
WANTED BY: N/A
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

OFFENSE(S) ATTEMPTED TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Wickford Area
ROUTE 95 NORTH / NORTH OF EXIT 12
WARWICK RI 02886

1 DUI OF LIQUOR OR DRUGS-1ST OFFENSE .15/ GREATER N Misdemeanor
31-27-2-D1/.15M 31-27 2 (d) (1)
OCCURRED: 04/22/2009 0108
REFER TO CITATION#: 09001513030

Rhode Island State Police Headquarters
Arrest Report

Page: 2
04/22/2009

Arrest #: 09RIK2-276-AR
Call #: 09-21473

VEHICLE(S) YEAR MAKE STYLE COLOR1 COLOR2 REG VALUE

1 EXPLORER 1998 FORD SU GLD RI 29

STATUS: Impounded DATE: 04/22/2009
OWNER: SULLIVAN, RAYMOND J
VIN: 1FMEU34E8WZM10278
TOWED TO: Pat's Towing
WEST WARWICK
WEST WARWICK RI 02893
TOWED BY: Pat's Towing TOWING CHARGES:

OTHER PROPERTIES PROPERTY # STATUS

1 SONY VIDEO TAPE # 38 FOR CRUISER # 219 09RIK2-116-PR Evidence (Not Nibrs Reportable)
QUANTITY: 1 VALUE: \$5.00
SERIAL #: 38
DATE: 04/22/2009

Rhode Island State Police Headquarters

Page: 1

NARRATIVE FOR TROOPER MICHAEL BROCK

Ref: 09RIK2-276-AR

On 4-22-09 at approximately 1:08 AM Troopers LeValley and Brock were on a fixed radar post on the right shoulder of Route 95 north just north of the Route 113 overpass when a vehicle passed them traveling partially in the right breakdown lane. The vehicle, a gold colored Ford Explorer, continued to travel partially in the breakdown lane for approximately 200 yards before swerving back into the right lane of travel. Troopers pulled out of the radar post to attempt to stop the vehicle. While catching up to the vehicle, Troopers observed the vehicle to swerve back into the breakdown lane two times and cross the white dotted lane markings two times. Troopers then stopped the vehicle, a 1998 Ford Explorer bearing RI House Reg. 29, on Route 95 north, north of Exit 13 in the City of Warwick. Troopers noted that after stopping, the vehicle remained in gear and was not put in park.

Trooper Brock approached the vehicle on the passenger's side and spoke with the occupants. Immediately upon making contact with the vehicle Trooper detected a strong smell of alcohol coming from the passenger compartment of the vehicle. Trooper requested License, Registration and Insurance from the operator. The operator, later identified as Raymond Sullivan Jr. [REDACTED] advised he had left all of his information at his residence. Trooper then requested any documentation that may have the operator's name on it. Sullivan then reached into his pocket and retrieved his wallet. Sullivan then removed his license from his wallet, dropped it, then handed it to Trooper Brock. During this time, Trooper Brock observed Sullivan's eyes to be extremely bloodshot and glassy. Sullivan's speech was also slurred. Trooper asked where Sullivan was traveling from. Sullivan advised he was coming from Providence. Trooper then asked where he was traveling to. Sullivan advised he was going to Providence. Trooper then asked if Sullivan was traveling from Providence to Providence. Sullivan appeared confused and replied "yes". The passenger in the vehicle, later identified as Emilie Aries [REDACTED] then advised they were traveling from TGI Friday's in Warwick to her residence in Providence.

Trooper Brock then asked Sullivan if he had been drinking this evening. He stated he had two drinks. Trooper Brock then asked Sullivan to recite the alphabet. Sullivan stated, "a,b,c" then stopped. Trooper again requested Sullivan to recite the alphabet. Sullivan stated, "a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,r,t,x,r,z." Sullivan could not properly recite the alphabet. During this time, Trooper Brock observed Sullivan's speech to be slurred and noticed a strong smell of an alcoholic beverage emanating from Sullivan's breath as he spoke.

Trooper Brock then requested Sullivan step from the vehicle for field sobriety tests. Sullivan walked to the rear of his vehicle and appeared unsteady on his feet. Trooper Brock then administered the Horizontal Gaze Nystagmus Test on Sullivan. Trooper observed a lack of smooth pursuit in both eyes, distinct nystagmus at maximum deviation in both eyes, and onset of nystagmus prior to 45 degrees in both eyes. Sullivan failed this test.

During this time, Trooper LeValley approached the passenger, Ms. Aries. Ms. Aries advised she too had been drinking alcohol with Sullivan at TGI Friday's. When asked of her condition and alcohol consumption Ms. Aries stated that she had "not as much, nearly" to drink as Sullivan.

Trooper Brock then explained and demonstrated the Walk and Turn Test. Sullivan could not maintain the starting position during instructions, stepped off line on several steps, took the wrong number of steps (11 in each direction rather than 9), missed heel to toe on all steps but the first two, and made an improper turn. Sullivan failed this test.

Rhode Island State Police Headquarters

Page: 2

NARRATIVE FOR TROOPER MICHAEL BROCK

Ref: 09RIK2-276-AR

Trooper Brock then explained and demonstrated the One Leg Stand Test to Sullivan. Sullivan raised his right foot for one second then put it down. Sullivan raised his right foot again and put it down after counting to 9. Sullivan then raised his right foot again and kept it up to the count of 24. During this time, Trooper observed Sullivan to be swaying. Sullivan failed this test.

At approximately 1:15 AM Trooper Brock placed Sullivan in custody for Driving Under the Influence and read him his Rights for Use at Scene and Constitutional Rights. Sullivan advised he knows his rights and was placed in the rear right seat of car 219. Trooper Brock then responded back to the vehicle to speak with Ms. Aries. Ms. Aries advised she had drank alcohol this evening but not as much as Sullivan and she should be able to drive the vehicle from the scene. Trooper noted Ms. Aries' slurred speech and the smell of alcohol coming from her breath as she spoke. Ms. Aries recited the alphabet correctly but failed the Horizontal Gaze Nystagmus test. Trooper Brock then determined it would be best if Ms. Aries did not attempt to drive the vehicle from the scene. Ms. Aries agreed and made arrangements to be picked up by a friend at the Dunkin Donuts on Jefferson Boulevard in Warwick.

Pat's Towing was contacted to remove the vehicle. Troopers advised the Wickford Barracks of the arrest and Night Executive Lt. Sullivan was advised. A search of Sullivan's vehicle revealed no registration information and an insurance card that expired in October of 2007. Troopers Ludovici and Doherty responded to the scene to await Pat's Towing.

Sullivan was transported to the Wickford Barracks. At approximately 1:30 AM Sullivan was placed in the holding room. At 1:40 AM Trooper Brock read Sullivan his Rights for Use at Station. Sullivan requested to use the telephone. Sullivan was allowed to use his personal cell phone for private conversation. At 1:47 AM Trooper Brock checked on Sullivan who advised he wished to have more time on the phone. At 1:54 AM Trooper Brock again spoke with Sullivan. Sullivan terminated his conversation and advised he would take the breath test. Sullivan then spent several minutes asking several questions of Troopers in an apparent attempt to delay taking the test. At 2:00 AM Sullivan then signed the Rights form indicating he would take the breath test. Sullivan then continued to ask several more questions in another apparent attempt to delay the test. At 2:02 AM Sullivan took the breath test and registered .178 for Phase I. At 2:05 AM Sullivan registered .179 for Phase II.

Sullivan was then processed by Trooper LeValley. Sullivan used his phone to make arrangements to be released by a Justice of the Peace. At 2:53 AM Mr. Patrick O'Neil, attorney for Sullivan, arrived at the barracks. At approximately 3:25 AM Justice of the Peace Suvari arrived at the barracks. Sullivan was arraigned on one charge of DWI (greater than .15) and released on \$1,000 P/R with a 3rd District Court date of 5-4-09. Sullivan was issued RITT Summons 09001513027 for 1. Right half of road (leaving lane of travel), 2. Operating without evidence of insurance and 3. Operating without evidence of registration, and 3rd District Court Summons 09001513030 for DWI>.15. Sullivan then left the barracks with his attorney.

Trooper Brock signed the DWI results letter for Sullivan which was notarized by Lt. Sullivan and prepared it for mailing.

At 7:30 AM Trooper Brock mailed the results letter to Sullivan at his given address of 2 Cornell Ct. Coventry, RI from the North Kingstown Post Office.