

**Garden State CLE presents:**



**DWI Marijuana**  
**Mock Trial**

# **Lawrence Township Police**

## **Motor Vehicle Accident Report**

### **At the scene:**

**On Tuesday July 4, 2017 at 14:18 hours, I was detailed to an MVA reported at a home in front of 67 Drift Avenue, Lawrenceville.**

**Upon arrival, I noted a 2005 Nissan Maxima that had driven onto the front lawn of the above residence and had crashed into a tree. The vehicle had sustained heavy damage to the front end. I noted that the driver's door was open. I took a photograph of same.**

**In checking for injuries, I found here were no occupants within the vehicle or signs of injury. I detected within the vehicle the slight smell of burned marijuana. I also noted, positioned directly beneath the open, drivers door was an untied work-boot. (right-foot). I took a photograph of same.**

**I retrieved the boot and began to search the area for the operator and any victims or witnesses. In the back yard of the residence, approximately 40 feet from the crash site, I noticed two adult males talking while seated on a child's swing set. I immediately noted that the male subject on the left was only wearing one shoe and it appeared to match the shoe I had recovered by the front door of the vehicle.**

**I approached the two males and addressed the subject who was missing a shoe. I handed the shoe to him and stated, "Did you lose something?" The subject took the shoe and said, "Oh, thanks." He then put the shoe on his right foot and tied it. It matched the boot he was wearing on his left foot.**

I then asked the subject for his name and identification. He reached into his pocket and produced a photographic driver's license under the name, "Ted Johnson." I then asked him if he knew anything about the crashed vehicle to which he responded, "Yeah...that my car." I then asked Mr. Johnson to produce his registration and insurance card. Without saying a word, he got up from the swing and began walking toward the vehicle. I noted that when he stood up he appeared to be unsteady on his feet and staggered as he walked back toward the crash site.

Upon arrival at the crashed vehicle, Mr. Johnson entered the car from the passenger side. I watched him as he bent over and retrieved a pair of glasses that were on the passenger-side floor of the car. He put the glasses on and reached into the glove compartment and attempted to find his driving credentials. I noted that his hand movements were slow and he passed over the documents several times before retrieving them and handing them to me.

Both the registration and insurance card were in the name of Ted Johnson.

I then began to question Mr. Johnson about the accident. Throughout, his demeanor was mellow and indifferent. His eyes remained partially closed and he showed no concern for his vehicle. I also detected the faint odor of burned marijuana coming from his clothing. I asked him what occurred and he stated, "I'm not sure how it happened. Better ask Freddie." In so stating, he pointed to the other male subject who was still rocking on the swing set.

I then approached the other subject who was identified by way of New Jersey MVC photo ID as Fred Johnson. He told me he is the fraternal twin brother of Ted. I attempted to question Fred about the accident but he was unable to provide me with any useful information. He denied having been injured in the accident. He

appeared to be incoherent and intoxicated by some type of substance. He claimed he did not know how the accident happened, just wanted to sleep and did not wish to provide me any further information. I also detected on his person a smell of marijuana. After checking with dispatch (negative for warrants), I told "Freddie" he could leave the scene.

I turned my attention back to Ted Johnson and asked him to perform standard field sobriety tests. The first test was the walk and turn test. I provided him instructions and demonstrated how the test should be performed. During the test, the subject did not count his steps as required, did not walk heel to toe and could not maintain his balance. Fearing that he would fall and injure himself, I terminated the test.

Based upon my training and experience including consideration of the subject's performance on the SFT, the smell of marijuana on his person, the occurrence of the accident and the subject's general intoxicated demeanor, I developed probable cause to believe he had operated his motor vehicle while under the influence of a narcotic (marijuana). I placed him under arrest (double cuffed). A search incident to the arrest at the scene resulted in the recovery of drug paraphernalia in the form of a disposable light blue cigarette lighter in the subject's front pants pocket. I took a photograph of same.

### **Transport to station:**

Subject remained silent. I detected the odor of burned marijuana within my vehicle coming from the subject seated in the rear. This smell had not been present in my vehicle prior to placing the subject in custody.

## **At the station:**

**Upon arrival at the station, I secured the subject in the booking area and recorded booking information. I then provided the subject with his rights per Miranda and requested whether he would be willing to provide a urine sample for me. The subject said he wished to exercise his right to remain silent. The subject then asked what would occur if he refused and I indicated that I would apply for a search warrant to compel the sample. At this point the subject consented to providing the urine sample.**

**I took the subject into the men's room and watched as he provided a urine sample into our standard urine collection container. I then sealed the container, marked it with my initials (time and date), secured the subject in the booking area and logged the urine sample and the drug paraphernalia (blue lighter) into evidence.**

**I then issued MV summonses charging 39:4-50 (u/I marijuana) and 39:4-96 (reckless driving) to the subject. I then permitted him to make a phone call to arrange to be picked up per John's Law. Sergeant Longo came to the accident scene and arranged for towing and impoundment of the subject's motor vehicle.**

**Following the release of the subject to his wife, I retrieved the urine sample marked with my initials (time and date) from the evidence room and transported it to the State Police Forensic Laboratory in Hamilton Township for testing. Upon arrival at NJSP, I turned the sample over to the evidence reception clerk.**

**No further info at this time.**



**S-1**



**BIGSTOCK**

Image ID: 138624851  
bigstock.com

**S-2**



**S-3**

D-4



# CONSENT FORM FOR USE BY LAW ENFORCEMENT OFFICERS WHEN REQUESTING CONSENT TO OBTAIN AND TEST URINE



I, TED JOHNSON, hereby voluntarily consent to provide a  
(Name of consenting party)

urine sample(s) to RYAN DUNN, a member of Laurensburg Twp P.D.  
(Name of person requesting urine sample), (Name of agency)

and any other representative designated to assist, and I voluntarily consent to the testing of my urine sample(s).

I have been advised by RYAN DUNN and fully understand that I  
(Officer and badge number)

have the right to refuse giving my consent to the providing and testing of my urine sample(s).

I have been further advised that I may withdraw my consent at any time and for any reason, up until the time that I give my urine sample(s) to Pt. Ryan Dunn,  
(Name of person collecting sample)

or any other representative designated to assist.

I have knowingly and voluntarily given my written consent to the providing and testing of my urine sample(s).

[Signature] 7/4/17 15:32  
(Signature of Consenting Party) (Date) (Time)

Witness: Walter Brown

D-4



# CONSENT FORM FOR USE BY LAW ENFORCEMENT OFFICERS WHEN REQUESTING CONSENT TO OBTAIN AND TEST URINE



I, Teal Johnson, hereby voluntarily consent to provide a  
(Name of consenting party)

urine sample(s) to C. DiMestio, a member of Lawrence Twp PD  
(Name of person requesting urine sample), (Name of agency)

and any other representative designated to assist, and I voluntarily consent to the testing of my urine sample(s).

I have been advised by C. DiMestio and fully understand that I  
(Officer and badge number)

have the right to refuse giving my consent to the providing and testing of my urine sample(s).

I have been further advised that I may withdraw my consent at any time and for any reason, up until the time that I give my urine sample(s) to C. DiMestio,  
(Name of person collecting sample)  
or any other representative designated to assist.

I have knowingly and voluntarily given my written consent to the providing and testing of my urine sample(s).

[Signature] 2/4/17 15:32  
(Signature of Consenting Party) (Date) (Time)

Witness: William Brown



NEW JERSEY STATE POLICE  
OFFICE OF FORENSIC SCIENCES

LABORATORY REPORT  
TOXICOLOGY ANALYSIS

Laboratory Address:  
Central Regional Laboratory  
NJSP Office of Forensic Sciences  
1200 Negron Drive  
Hamilton Township, NJ 08691  
(609) 584-5054

Laboratory No.

C17-05440



Submitting Agency  
NJSP Hamilton

Agency No.

C060201700231D

Case:

State vs. Ted Johnson

Date of Report

08/11/2017

Results of Examination:

Page 1 of 1

Item# 1 - Urine

Confirmatory testing by GC/MS identified the following: **7-Aminoclonazepam, Citalopram. Marijuana**

All drugs may not be detected or reported due to analytical methods and/or OFS protocols  
**REMAINING SPECIMEN(S) WILL BE DESTROYED NINETY (90) DAYS AFTER THE FINAL REPORT**

The following immunoassay screens were performed on the urine:

Amphetamines	Barbiturate	Benzodiazepine	Cannabinoid	Cocaine Metab.	Methadone
MDMA	Oxycodone	Phencyclidine	Tramadol	Buprenorphine	
Carisoprodol	Zolpidem				

KEY: OFS - Office of Forensic Sciences GC - gas chromatograph MS - mass spectrometer g - gram mL - milliliter

I have been employed by a State Forensic Laboratory for 15+ years, I have a M.S. degree, and I have qualified as an expert witness on 17 occasions in Municipal and Superior Courts in New Jersey; the above laboratory report fairly and accurately documents the type and results of the analysis performed; I am the person responsible for the analysis and the conclusions set forth in the above laboratory report; the equipment used to perform the type of analysis described above was functioning properly.

The test procedures used are accurate, reliable, objective in nature, and performed on a routine basis within the laboratory.

*Bridget D Verdino*

Bridget D. Verdino, Forensic Scientist II

Peer Reviewed By:

*MT*

Approved By:

*RTK*

**Garden State CLE presents:**



**DWI Marijuana**  
**Mock Trial**