

I arrived at the police department and joined Officer Tufano and Diane in booking. At 10:09 PM, I read the Warning to Motorist verbatim to Diane, to which she signed. Officer Tufano started the 20 minute observation period at 10:12 PM. During this time, Diane did not belch, vomit or put anything in her mouth. At 10:37 PM, Diane attempted three times to provide a breath sample, but she provided an insufficient sample all three times. This was logged into the breath book.

At 10:52 PM, Diane was read her notice of rights and agreed to waive her rights and speak with me. Diane related the following in summary and not verbatim: It was Wednesday, November 1st and 10:54 PM and she was in Lisle. Diane used her phone to look at the time. She last ate a smoothie at 1 PM and slept the night before, getting approximately 6-7 hours of sleep. [REDACTED] She is not diabetic, but felt sick/ill. She described the illness as having to check in every day with an app on her phone to track her eating/sleeping. She related her physical condition was 'good'. She did not have a glass eye or false teeth. [REDACTED] but could not remember the name. [REDACTED] She did not feel affected by the drugs and did not take illegal street drugs. She took [REDACTED] the morning of 11/1/2023. She had not been injured lately. She was operating a motor vehicle and was stopped on her way home while heading North on Winfield Road. She left a work event at 8 PM. In the previous 4 hours, she had been at a work event and consumed alcohol. She had 1 glass of wine at the work event starting at 8 PM and finished drinking at 8:15 PM. When asked if she felt she was under the influence of an alcoholic beverage right now she said no. When asked if she felt as if she has had too much alcohol to have been driving she said no. When asked if she felt as if you are under the influence of a drug right now she said no.

I completed the processing of Diane's information, which included fingerprints and photographs.

Diane was charged with the following on complaint #OW202300010220:

- Driving Under the Influence of Alcohol (625 ILCS 5/11-501(a)(2))

Diane was released on a Pre-Trial release on own recognizance form. Diane understood and signed the document. Diane was provided copies of the Law Enforcement Sworn Report, Warning to Motorist, criminal complaints, notice of seizure, towed vehicle information sheet and vehicle retrieval instructions. Diane's vehicle was held for 12 hours.

Diane was released from custody at approximately 11:51 PM. Corporal Mossey escorted Diane out of the bail bond exit where her spouse was waiting to pick her up.

On 11/2/2023 at approximately 7:50 PM, I left a voicemail for Diane (C [REDACTED]), informing her of her court date of 11/29/2023 at 9:00 AM. The voicemail identified Diane Hewitt as the owner of the phone.

On 11/2/2023 at approximately 8:08 PM, I contacted the caller who notified DUCOMM of the reckless driving. The caller, who wished to remain anonymous, related the following in summary and not verbatim: she observed the vehicle turning left from County Farm Road onto Roosevelt Road to head eastbound. She was in the outside left turn lane and Diane was next to her vehicle in the inside left turn lane. During the left turn, Diane's vehicle veered into her lane and cut her off and hit a curb in front of St. Francis school. She observed Diane weaving, driving with her

hazard lights on and nearly striking a mailbox and parked car. When Diähh turned south on to Stonebridge Trail from Creekside Drive, she pulled out in front of a car that had the right away and nearly caused a crash. Diane continued on to Wiesbrook Drive heading south and unexpectedly stopped in the middle of the road. At Wiesbrook Drive and Butterfield Road, Diane briefly opened her driver's door before shutting it. Diane was last observed heading westbound on Butterfield before pulling over to the shoulder in front of St. James and making a U-turn to travel eastbound on Butterfield Road.

Nothing further to report.

On 11/01/2023 at approximately 9:30 PM, Corporal Mossey #126 and I (Officer Maxwell #120), arrived at Butterfield Road and Madison Street to assist Sergeant Komar #136, Officer Rynne #116 and Officer Tufano #118 with a traffic stop. Upon arrival, I observed a vehicle (IL: [REDACTED]) parked on the shoulder of Butterfield Road with a shredded front right tire on the rim and what appeared to be vomit on the outside driver side window and all the way down the driver side door.

DUCOMM related the following in summary and not verbatim: at 9:11 PM a blue or silver Honda hatchback was observed weaving on the road and had hit a curb. Near Wiesbrook Drive and Butterfield Road, the Honda hit a curb a second time. At 9:19 PM the vehicle was driving with its hazard lights on approaching Winfield Road. At 9:20 PM the vehicle pulled over on the right shoulder near St. James farm, east of Winfield Road. The vehicle then turned around and headed eastbound on Butterfield Road and the complainant left the area. At 9:24 PM, Sergeant Komar discovered the vehicle parked on the westbound shoulder of Butterfield Road near Madison Street.

I approached the vehicle and spoke with Officer Rynne. He stated the driver, Diane Hewitt (F/W, DOB: [REDACTED]), was looking for her driver's license, he observed an empty bottle of wine in her purse and she appeared to have thrown up on herself. Diane stated she was in Glendale Heights headed towards Lisle, when she was actually located in unincorporated DuPage County in-between Wheaton and Warrenville. Officer Rynne stated Diane had slurred her speech and smelled the odor of an alcoholic beverage about her breath and body.

I asked Diane step out of the vehicle. Diane leaned on her vehicle for balance as she walked towards the rear of the car eating an apple. Diane consented to taking a Standardized Field Sobriety Test (SFST). Prior to initiating the Horizontal Gaze Nystagmus test, Diane attempted to put her hands in her coat pocket five times, but was unsuccessful before giving up. The SFST's were conducted on a dry, flat and level surface on the shoulder of Butterfield Road. The pavement was illuminated by flashlights and the patrol vehicle headlights.

Horizontal Gaze Nystagmus Test:

I explained the instructions of the test to Diane. Diane stated she had no medical conditions which would affect her eyes and she removed her prescription eyeglasses. I used the tip of my pointer finger as a stimulus for the test, holding it approximately 12-18 inches from Diane's eyes. I observed Diane to have equal pupil size and equal tracking. I observed Diane swaying approximately 6 inches from front to back. She dropped her glasses during the course of the test. Diane was unable to complete the test due to not following the stimulus. Diane stared directly at me the entire time and never followed the stimulus.

Walk and Turn Test:

Diane stated she had no medical issues with her knees, hips or legs that would prevent her from being able to walk in a straight line. During the instruction portion of the Walk and Turn, Diane was unstable on her feet and could not comprehend the instructions of the starting position. The test location was moved from a driveway to the shoulder of Butterfield Road, to allow Diane to use the white fog line as a reference. Diane was unable to comprehend where she needed to start the test, and had to be instructed several times to move to the starting point. Diane was unable to get into the proper starting position for the walk and turn test, and had to keep taking several steps backwards to regain her balance. I demonstrated the walk and turn test, taking 9 heel-to-toe steps, pivoting on my left foot while making several small steps and taking 9 heel-to-toe steps on the return. During my demonstration of the Walk and Turn test, Diane spent approximately 1 minute attempting to zip up her jacket with no success. Diane stopped attempting to zip her jacket after Officer Tufano informed Diane her zipper was backwards. Following my demonstration, I asked Diane if she understood the instructions. She replied that she understood and was ready to begin. When Diane started the Walk and Turn test, her arms were held directly out to her side, parallel to the pavement. Diane's steps were exaggerated and approximately 18 inches long. During Diane's first two steps her hands were in her pockets. After being informed she could not have her hands in her pockets, Diane returned her arms to an outright position. During the duration of the test, Diane never walked heel-to-toe and consistently stumbled off of the white fog line. She counted her third step, two times. On Diane's fourth step, she lost her balance and stumbled, taking two steps to the

side to regain her balance. Diane then paused in this position for approximately 10 seconds. On her sixth step, Diane stumbled to her left again after losing her balance. Around Diane's 15th step, I informed her she was only required to take nine steps, and she was to turn around and walk back down the line in a heel-to-toe manner. Diane committed an improper turn by turning to her right in one rapid motion. Following her turn, she lost her balance stumbling to her right and taking two steps to regain her footing. Diane took one additional step, at which point I terminated the Walk and Turn test.

One Leg Stand:

The One Leg Stand was not administered due to Diane's inability to maintain her balance with the risk of her falling, and inability to follow directions.

Upon the completion of the walk and turn, Corporal Mossey asked Diane if she could recite her "ABC's" starting with the letter "E" and end with



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(630) 393-2131

Incident Report

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| Incident # WRPC2501085 | Case Title DUI / MAXWELL / MOSSEY | CAD Incident # WRP23021009 |
| Primary Offense DUI - UNDER THE INFLUENCE OF ALCOHOL | | Page 5 of 6 |
| Date / Time Occurred 11/1/2023 21:00:00 | Date / Time Reported 11/1/2023 21:19:00 | |

the letter 'U'. Diane said she knew her "ABC's" and recited the following: E, F, G, H, I, J, K, H, R, A, B, C, D, E, F, G, H, I, J, K, then proceeded to mumble letters that I was unable to hear. She took several steps backwards after falling off balance and was assisted by Officer Tufano to regain her balance.

Diane agreed to take a preliminary breath test (PBT). She was swaying heavily (4-6 inches front to back) and struggled to maintain her balance. After multiple attempts, Diane was unable to provide an adequate sample into the PBT.

Based on Diane's driving, relayed by DUCOMM, the damage to her vehicle, her inability to accurately describe her location, the empty bottle of wine in her purse, the smell of alcoholic beverages about her breath and body and failing the SFST, I placed Diane under arrest for driving under the influence of alcohol. At approximately 9:27 PM, Diane was placed under arrest, handcuffed, checked for proper fit and double locked. Diane was assisted into squad #216 to be transported to Warrenville Police Department for processing.

While Diane was in the back of squad #216, Officer Tufano stated Diane was violently throwing herself around. Officer Tufano and I opened the door and Diane stated she had to throw up and dry heaved several times. We escorted Diane out of the vehicle and into the grass. She did not throw up and was placed back in the rear of squad #216 and transported to the Warrenville Police Department. While being transported, Diane threw up in-between her legs in the rear of squad #216.

Officer Rynne remained on scene to complete the tow paperwork and inventory of the vehicle. Diane's vehicle was towed by B&L Towing and