

INCIDENT	PAGE # <b>1</b>		ORI NUMBER <b>AR0230100</b>		ARKANSAS INCIDENT REPORT			INTERNAL INCIDENT STATUS: <input type="checkbox"/> (A) Active <input checked="" type="checkbox"/> (CA) Closed by Arrest <input type="checkbox"/> (CE) Closed by Exception <input type="checkbox"/> (CO) Closed by Other Means <input type="checkbox"/> (I) Inactive <input type="checkbox"/> (U) Unfounded		EXCEPTIONAL CLEARANCE STATUS: <input type="checkbox"/> (A) Death of the Offender <input type="checkbox"/> (B) Prosecution Declined <input type="checkbox"/> (C) Extradition Denied <input type="checkbox"/> (D) Victim Ref. to Cooperate <input type="checkbox"/> (E) Juvenile, No Custody <input checked="" type="checkbox"/> (N) Not Applicable			
	INCIDENT NUMBER <b>16-10027</b>												
	DATE(S) OF INCIDENT <b>08/26/2016</b>			R	AGENCY NAME <b>Conway Police Department</b>								
	TIME(S) OF INCIDENT <b>20:16 - 20:39</b>				DAY(S) OF INCIDENT <b>Friday</b>								
DISPATCHER <b>kharmon - HARMON, KAILYN CHARESE</b>				TIME RECEIVED <b>20:17</b>		TIME ARRIVED <b>20:22</b>		REPORTING AREA <b>80</b>		EXCEPT. CLEAR. DATE			
OFFENSE # <b>1</b>		UCR CODE <b>90D</b>	OFFENSE STATUS: <input type="checkbox"/> (A) Attempted <input checked="" type="checkbox"/> (C) Completed		OFFENDER USED: <input checked="" type="checkbox"/> (N) Not Applicable <input type="checkbox"/> (A) Alcohol <input type="checkbox"/> (C) Cptr. Equip. <input type="checkbox"/> (D) Drugs			Burglary (220) Location 14&19: # PREMISES ENTERED?		FORCED ENTRY? <input type="checkbox"/> Yes <input type="checkbox"/> No			
STATUTE <b>5-65-103</b>		OFFENSE DESCRIPTION <b>VIOLATION OF OMNIBUS DWI ACT / 1ST OFFENSE</b>				ADDRESS OF OFFENSE <b>1200 DAVE WARD DR, INT L/R, CONWAY, AR 72034</b>							
LOCATION CODE (Enter 1) <input type="checkbox"/> (01) Air/Bus/Train Terminal <input type="checkbox"/> (02) Bank/Savings & Loan <input type="checkbox"/> (03) Bar/Night Club <input type="checkbox"/> (04) Church/Synagogue/Temple <input type="checkbox"/> (05) Commercial/Office Building <input type="checkbox"/> (06) Construction Site <input type="checkbox"/> (07) Convenience Store <input type="checkbox"/> (08) Department Discount Store <input type="checkbox"/> (09) Drug Store/DR's Office/Hospital <input type="checkbox"/> (10) Field/Woods <input type="checkbox"/> (11) Government/Public Building <input type="checkbox"/> (12) Grocery/Supermarket					<input type="checkbox"/> (13) Highway/Road/Alley <input type="checkbox"/> (14) Hotel/Motel/Etc. <input type="checkbox"/> (15) Jail/Penitentiary <input type="checkbox"/> (16) Lake/Waterway <input type="checkbox"/> (17) Liquor Store <input type="checkbox"/> (18) Parking Lot/Garage <input type="checkbox"/> (19) Rental/Storage Facility <input type="checkbox"/> (20) Residence/Home <input type="checkbox"/> (21) Restaurant <input type="checkbox"/> (22) School/College <input type="checkbox"/> (23) Service/Gas Station <input type="checkbox"/> (24) Specialty Store (TV,Fur, etc.) <input type="checkbox"/> (25) Other/Unknown					WEAPON FORCE: (Max. 3) (For 11-15, place "A" in space next to box if weapon was an Automatic.) <input type="checkbox"/> (11) Firearm (Type not stated) <input type="checkbox"/> (90) Other <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (95) Unknown <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (99) None <input type="checkbox"/> (14) Shotgun <input type="checkbox"/> (15) Other Firearm <input type="checkbox"/> (20) Knife/Cutting Instr. (Ax, etc.) <input type="checkbox"/> (30) Blunt Object (Club, etc.) <input type="checkbox"/> (35) Motor Vehicle (As weapon) <input type="checkbox"/> (40) Personal Weapons (Hands, etc.) <input type="checkbox"/> (50) Poison <input type="checkbox"/> (60) Explosives <input type="checkbox"/> (65) Fire/Incendiary Device <input type="checkbox"/> (70) Narcotics/Drugs/ Sleeping Pills <input type="checkbox"/> (85) Asphyxiation			
TYPE CRIMINAL ACTIVITY: (Max. 3) <input type="checkbox"/> (B) Buying <input type="checkbox"/> (C) Cultivate/Manufacture/Publish <input type="checkbox"/> (D) Distributing/Selling <input type="checkbox"/> (E) Exploiting Children <input type="checkbox"/> (O) Operating/Promoting/Assisting <input type="checkbox"/> (P) Possessing/Concealing <input type="checkbox"/> (T) Transport/Transmit/Import <input type="checkbox"/> (U) Using/Consuming			TYPE GANG ACTIVITY: (Max. 2) <input type="checkbox"/> (G) Other Gang <input type="checkbox"/> (J) Juvenile Gang <input type="checkbox"/> (N) None/Unknown			BIAS MOTIVATED CRIME: <b>None (No Bias)</b>							
VICTIM # <b>1</b>		NAME: Last, First, Middle			SOC. SEC. NO.		DRIVER'S LICENSE		DR. LI. STATE	DATE OF BIRTH			
RESIDENT ADDRESS: Street City State ZIP				RELATIONSHIP OF THIS VICTIM TO OFFENDERS (check relationship under appropriate offender number):									
OCCUPATION			RESIDENT PHONE			#1 #2 #3 #4 #5 #6 #7 #8 #9 #10		VICTIM WAS:					
EMPLOYMENT PHONE		SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unknown									<input type="checkbox"/> (SE) Spouse <input type="checkbox"/> (CS) Common-Law Spouse <input type="checkbox"/> (PA) Parent <input type="checkbox"/> (SB) Sibling <input type="checkbox"/> (CH) Child <input type="checkbox"/> (GP) Grandparent <input type="checkbox"/> (GC) Grandchild <input type="checkbox"/> (IL) In-Law <input type="checkbox"/> (SP) Stepparent <input type="checkbox"/> (SC) Stepchild <input type="checkbox"/> (SS) Stepsibling <input type="checkbox"/> (OF) Other Family Member <input type="checkbox"/> (AQ) Acquaintance <input type="checkbox"/> (FR) Friend <input type="checkbox"/> (NE) Neighbor <input type="checkbox"/> (BE) Babysittee (baby) <input type="checkbox"/> (BG) Boyfriend/Girlfriend <input type="checkbox"/> (CF) Child of Boyfriend/Girlfriend <input type="checkbox"/> (HR) Homosexual Relationship <input type="checkbox"/> (XS) Ex-Spouse <input type="checkbox"/> (EE) Employee <input type="checkbox"/> (ER) Employer <input type="checkbox"/> (OK) Otherwise Known <input type="checkbox"/> (RU) Relationship Unknown <input type="checkbox"/> (ST) Stranger <input type="checkbox"/> (VO) Victim was Offender		
ETHNIC: <input type="checkbox"/> (H) Hispanic <input type="checkbox"/> (N) Nonhispanic <input type="checkbox"/> (U) Unknown			AGE: Exact Age _____ Range ___/___ <input type="checkbox"/> (NN) Under 24 Hrs. Old <input type="checkbox"/> (NB) 1-6 Days Old <input type="checkbox"/> (BB) 7-364 Days Old <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown										
RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (U) Unknown <input type="checkbox"/> (B) Black <input type="checkbox"/> (A) Asian/Pacific Islander													
RES. STATUS: <input type="checkbox"/> (R) Resident <input type="checkbox"/> (N) Nonresident <input type="checkbox"/> (U) Unknown													
VICTIM TYPE: <input type="checkbox"/> (I) Individual <input type="checkbox"/> (B) Business <input type="checkbox"/> (F) Financial Institution <input type="checkbox"/> (U) Unknown <input type="checkbox"/> (G) Government <input type="checkbox"/> (R) Religious <input checked="" type="checkbox"/> (S) Society/Public <input type="checkbox"/> (O) Other													
VICTIM INJURY: (Max. 5) <input type="checkbox"/> (N) None <input type="checkbox"/> (B) Apparent Broken Bones <input type="checkbox"/> (I) Possible Internal Injury <input type="checkbox"/> (L) Severe Laceration			<input type="checkbox"/> (M) Apparent Minor Injury <input type="checkbox"/> (O) Other Major Injury <input type="checkbox"/> (T) Loss of Teeth <input type="checkbox"/> (U) Unconsciousness			THIS VICTIM RELATED TO WHICH OFFENSES? <input type="checkbox"/> #1 <input type="checkbox"/> #4 <input type="checkbox"/> #7 <input type="checkbox"/> #10 <input type="checkbox"/> #2 <input type="checkbox"/> #5 <input type="checkbox"/> #8 others: <input type="checkbox"/> #3 <input type="checkbox"/> #6 <input type="checkbox"/> #9							
AGGRAVATED ASSAULT/HOMICIDE CIRCUMSTANCES													
Aggravated Assault/Murder: (max. 2) <input type="checkbox"/> (01) Argument <input type="checkbox"/> (02) Assault On Law Enf. Officer <input type="checkbox"/> (03) Drug Dealing <input type="checkbox"/> (04) Gangland <input type="checkbox"/> (05) Juvenile Gang <input type="checkbox"/> (06) Lover's Quarrel <input type="checkbox"/> (07) Mercy Killing <input type="checkbox"/> (08) Other Felony Involved <input type="checkbox"/> (09) Other Circumstances <input type="checkbox"/> (10) Unknown Circumstances						Negligent Manslaughter: (enter 1) <input type="checkbox"/> (30) Child Playing With Weapon <input type="checkbox"/> (31) Gun-Cleaning Accident <input type="checkbox"/> (32) Hunting Accident <input type="checkbox"/> (33) Other Negligent Weapon Handling <input type="checkbox"/> (34) Other Negligent Killings							
						Justifiable Homicide: (enter 1) <input type="checkbox"/> (20) Criminal Killed by Private Citizen <input type="checkbox"/> (21) Criminal Killed by Police Officer							
ADDITIONAL JUSTIFIABLE HOMICIDE CIRC.: (enter 1)			<input type="checkbox"/> (A) Criminal Attacked Police Officer <input type="checkbox"/> (B) Criminal Attacked Fellow Police Officer <input type="checkbox"/> (C) Criminal Attacked Civilian <input type="checkbox"/> (D) Criminal Attempted Flight from a Crime <input type="checkbox"/> (E) Criminal Killed in Commission of a Crime <input type="checkbox"/> (F) Criminal Resisted Arrest <input type="checkbox"/> (G) Unable to Determine/Not Enough Information										
REPORT DATE <b>08/26/2016</b>		DAY <b>Fri</b>	TIME (Military) <b>20:16</b>		REPORTING OFFICER <b>ANDREW J. FOREMAN</b>			CODE # <b>517</b>		APPROVING SUPERVISOR <b>BRUCE A. CHILDERS</b>		CODE # <b>217</b>	DATE APPROVED <b>08/29/2016</b>

OFFENSE

VICTIM



# INCIDENT REPORT

<b>VEHICLE</b>	<b>PAGE #</b> 3	<b>DATE</b> 08/26/2016	<b>INCIDENT #</b> 16-10027	<b>REPORTING OFFICER</b> ANDREW J. FOREMAN		<b>CODE #</b> 517	<b>VICTIM NAME</b>	
	<b>YEAR</b> 2016	<b>MAKE</b> Toyota	<b>MODEL</b> Corolla	<b>STYLE</b> SD	<b>VIN</b> 5YFBURHE0GP548100		<b>LICENSE NUMBER</b> 3GTW	<b>STATE</b> AR
	<b>OWNER'S NAME</b> Baker, Gilbert				<b>ADDRESS</b> 17 Cooper Ln., Conway, AR 72034			
<b>VEHICLE</b>	<b>TOP/SOLID COLOR</b> GRY			<b>SECOND COLOR</b>			<b>DISPOSITION OF RECOVERY:</b> <input type="checkbox"/> (I) Impounded <input checked="" type="checkbox"/> (R) Released To Owner	
	<b>YEAR</b>	<b>MAKE</b>	<b>MODEL</b>	<b>STYLE</b>	<b>VIN</b>	<b>LICENSE NUMBER</b>	<b>STATE</b>	
	<b>OWNER'S NAME</b>				<b>ADDRESS</b>			
<b>VEHICLE</b>	<b>TOP/SOLID COLOR</b>			<b>SECOND COLOR</b>			<b>DISPOSITION OF RECOVERY:</b> <input type="checkbox"/> (I) Impounded <input type="checkbox"/> (R) Released To Owner	
	<b>YEAR</b>	<b>MAKE</b>	<b>MODEL</b>	<b>STYLE</b>	<b>VIN</b>	<b>LICENSE NUMBER</b>	<b>STATE</b>	
	<b>OWNER'S NAME</b>				<b>ADDRESS</b>			
<b>PROPERTY</b>	<b>OF. CODE</b> 90D	<b>P. LOSS</b> 6	<b>P. DES.</b> 77	<b>QTY.</b> 3	<b>DESCRIPTION (Include serial number, make, model, primary color)</b> gray top tubes of blood from Gilbert Baker's right arm	<b>OWNER</b> A1	<b>ITEM VALUE</b>	<b>RECOV. DATE</b>
<b>TOTAL NUMBER VEHICLES STOLEN:</b>		<b>TOTAL NUMBER VEHICLES RECOVERED:</b>			<b>TOTAL VALUE STOLEN:</b>		<b>TOTAL VALUE RECOVERED:</b>	
<b>PROPERTY LOSS:</b> (1) None (2) Burned (3) Counterfeited/Forged (4) Damaged/Destroyed/Vandalized (5) Recovered (6) Seized (7) Stolen, etc. (8) Unk.								
<b>PROPERTY DESCRIPTION:</b>								
(01) Aircraft			(11) Drug/Narc. Equipment			(21) Negotiable Instruments		
(02) Alcohol			(12) Farm Equipment			(22) Nonnegotiable Instruments		
(03) Automobiles			(13) Firearms			(23) Office-Type Equipment		
(04) Bicycles			(14) Gambling Equipment			(24) Other Motor Vehicles		
(05) Buses			(15) Heavy Equipment-Construction/Industry			(25) Purses/Handbags/Wallets		
(06) Cloths/Furs			(16) Household Goods			(26) Radios/TVs/VCRs		
(07) Computer Hardware/Software			(17) Jewelry/Precious Metals			(27) Recordings-Audio/Visual		
(08) Consumable Goods			(18) Livestock			(28) Recreational Vehicles		
(09) Credit Cards/Debit Cards			(19) Merchandise			(29) Structures-Single Occupancy		
(10) Drugs/Narcotics			(20) Money			(30) Structures-Other Dwellings		
						(31) Structures-Commercial/Business		
						(32) Structures-Industrial/Manufacture		
						(33) Structures-Public/Community		
						(34) Structures-Storage		
						(35) Structures-Other		
						(36) Tools-Power/Hand		
						(37) Trucks		
						(38) Vehicle Parts/Accessories		
						(39) Watercraft		
						(77) Other		
						(88) Pending Inventory (of Property)		
						(99) Special Category		
<b>DRUG INFO.</b>	<b>DRUG TYPE</b>	<b>WHOLE DRUG QUANTITY</b>	<b>FRACTIONAL DRUG QUANTITY</b>	<b>DRUG MEASUREMENT</b>				<b>TYPE DRUG MEASUREMENT:</b>
								WEIGHT (GM) Gram (KG) Kilogram (OZ) Ounce (LB) Pound
								CAPACITY (ML) Milliliter (LT) Liter (FO) Fluid Ounce (GL) Gallon
	<b>DRUG TYPE:</b>							
(A) "Crack" Cocaine	(F) Morphine	(K) Other Hallucinogens		(O) Other Depressants				
(B) Cocaine	(G) Opium	(L) Amphetamines/Methamphetamines		(P) Other Drugs				
(C) Hashish	(H) Other Narcotics	(M) Other Stimulants		(U) Unknown Type Drug				
(D) Heroin	(I) LSD	(N) Barbiturates		(X) Over 3 Drug Types				
(E) Marijuana	(J) PSP							
<b>COMPLT.</b>	<b>NAME:</b> Last, First, Middle				<b>SEX:</b> <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk.		<b>AGE:</b> _____ <input type="checkbox"/> (00) Unknown	
	<b>RESIDENT ADDRESS:</b> Street City State Zip				<b>RESIDENT PHONE</b>		<b>EMPLOY'T. PHONE</b>	
								<b>RACE:</b> <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown

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4	08/26/2016	16-10027	ANDREW J. FOREMAN	517	
NAME: Last, First, Middle			SEX: <input type="checkbox"/> (U) Unk. <input checked="" type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female	AGE: _____ <input type="checkbox"/> (00) Unknown	RACE: <input type="checkbox"/> (U) Unk. <input checked="" type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander
RESIDENT ADDRESS: Street City State Zip			RESIDENT PHONE	EMPL. PHONE	
17 Cooper Ln, Conway, AR 72034					
DATE OF BIRTH	SSN	OCCUPATION	PLACE OF EMPLOYMENT		
NAME: Last, First, Middle			SEX: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (M) Male <input checked="" type="checkbox"/> (F) Female	AGE: _____ <input type="checkbox"/> (00) Unknown	RACE: <input type="checkbox"/> (U) Unk. <input checked="" type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander
RESIDENT ADDRESS: Street City State Zip			RESIDENT PHONE	EMPL. PHONE	
2302 College Ave., Conway, AR 72034			(501) 329-3831	(501) 329-3831	
DATE OF BIRTH	SSN	OCCUPATION	PLACE OF EMPLOYMENT		
		Lab Assistant	Conway Regional Medical Center		

WITNESSES

**NARRATIVE:**  
 On August 26, 2016, I was on patrol when a call about a possible intoxicated driver was broadcasted over the radio. When the call came out, I was at Salem and College. I proceeded to Salem and Dave Ward to wait on the described vehicle, a grey Toyota Corolla LPN 3GTW. I saw the vehicle pass by me and pulled onto Dave Ward to get behind the vehicle. I caught up to the vehicle and proceeded to follow the vehicle. I observed the vehicle swerve several times on the inside lane. The vehicle then went to change lanes, as it was changing lanes the vehicle straddled the line for approximately 150 feet. At this time, I initiated a traffic-stop on the vehicle.

When I got to the driver side window, I informed the driver, Gilbert Baker, why I pulled him over. I then asked him for his driver's license, registration, and proof of insurance. After Baker handed me his driver's license, I asked him where he was coming from, he informed me that he was coming from Little Rock. As he was talking, I could smell the odor of intoxicants coming from Baker. As he continued to look for his registration and insurance, the smell of intoxicants got stronger. Once he found his registration and handed it to me, I asked him to step out of the vehicle. Baker obliged and stepped out of the vehicle. I asked him to step to the back of his car. I then explained to him that I was going to conduct the Standardized Field Sobriety Test due to the smell of intoxicants coming from his breath.

The first SFST that I conducted was the Horizontal Gaze Nystagmus. I began with the instructional phase. I informed him that during the test he needed to follow the tip of my finger with his eyes and his eyes only. I then asked him if he understood, to which he stated that he did. I began by checking his pupils to check for equal size, which they were. I then moved on to the equal tracking portion. As I began the equal tracking portion of the test, he followed my finger with his head. I again explained to him that he needed to follow my finger with his eyes and eyes only. I started the equal tracking again, and again he moved his head slightly before moving his head forward again after I reminded him to follow with his eyes only. I noticed no clues from equal tracking. I then moved to the lack of smooth pursuit portion. During the smooth pursuit portion, I noticed a lack of smooth pursuit in both the left and right eye. After the lack of smooth pursuit, I moved onto distinct and sustained nystagmus at maximum deviation. I detected distinct and sustained nystagmus at maximum deviation in both the left and right eye. Once I finished with the distinct and sustained nystagmus at maximum deviation, I began to check for onset of nystagmus prior to 45 degrees. At this point during the HGN test, Baker repeatedly took his eyes off of the tip of my finger despite being told to keep his eyes on the tip of my finger. Because of this I was unable to adequately complete this portion of the test. I then moved onto vertical nystagmus, and again he kept repeatedly taking his eyes off of the tip of my finger. Because of that I again

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<p><b>NARRATIVE:</b>                      was unable to adequately complete that portion of the test. At this point I moved onto the Walk and Turn Test.</p>					
<p>The next SFST test that I conducted was the Walk and Turn. I again began with the instructional phase. I instructed him to move over to the marked line and place his left foot on it. I then told him to place his right foot in front of his left foot, heel to toe. I then told him to place his hands by his side and to remain in that position until I told him to do otherwise. As I was instructing him, I myself assumed the same position. I told him that he would take 9 heel to toe steps along that line, once he took the 9th step that he was to leave his lead foot in place and take a series of small steps to turn around, and then take 9 more heel to toe step back along the same line. I then demonstrated to him how it should look. As I took my second step, I lost my balance and had to throw my arms up to balance myself and keep myself from falling over. I finished that demonstration, but due to it being a poor demonstration, I demonstrated again how it should look. Baker attempted to start the test on two occasions before I finished with the instructional phase. After finishing the second demonstration, Baker still did not fully understand what he was to do, so I demonstrated it to him for a third time. As I was finishing demonstrating the test, he lost his balance and had to take a step to his right to keep from falling over. Once he began the test I observed the following clues on the first 9 steps, he missed heel to toe, stepped off the line, and took a total of 10 steps. His turn was unsatisfactory, I again had to explain to him how to turn and when he did turn he did not take a series of small steps, but instead just turned around 180 degrees. I then again had to tell him multiple times that he needed to take 9 more heel to toe steps. During the second set of 9 steps I observed the following clues, he missed heel to toe, and stepped off the line. Baker however on the second set of 9 steps did take only 9 steps. Once he completed the Walk and Turn, I began the next test.</p>					
<p>The final SFST test that I conducted was the One Leg Stand. Before I began the test, I asked him if he had any medical conditions that could affect his ability to complete the test. He stated that he had a spider bite and indicated that it was on his left leg. I then began the instructional phase by placing him in the proper position and took that same position. I gave him the instructions on how to complete the test, and demonstrated how to complete it as I was giving the instructions. He again tried to start the test before I instructed him to do so. Once he began the test, there was noticeable swaying, he put his foot down before the end of the test, and he wasn't counting out loud. At this point, I ended the test and advised him that he was under arrest for DWI.</p>					
<p>After I secured Baker in handcuffs, I moved him over by the curb and advised him of his Miranda Rights, that I read from a pocket card. I again asked him if he had had anything to drink, to which he responded that he had one drink, but he didn't say what that drink was. I then explained to him what was going to happen from this point. I told him that he would be taken to the Conway Police Department, that he would be read his statement of rights, and issued a breathalyzer test. Sgt. Wilson then asked him if it would be alright if Stephen could take his car; to which he said it would be. I then placed him in the back of my unit and transported him to the Conway Police Department booking area. As we were transporting him, Baker become verbally belligerent and emotional.</p>					

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NARRATIVE:					
<p>After we pulled into the sally port, I got Baker out of the back of the Tahoe, and he fell to the floor hitting the red stripe on the wall. I assisted him to his feet and escorted him to the booking area, where I secured him on the bench. As I started on the paperwork, Officer Balentine and Officer Edens came in. Officer Balentine stated that Officer Edens would be taking over. As Officer Edens was reading him his statement of rights form, Baker continued to be verbally belligerent and emotional. Once Officer Edens finished reading the statement of rights form, Baker refused to take the breathalyzer and refused to sign that he refused the test. Baker kept asking for some water, but due to us needing him to take a breathalyzer, he couldn't have anything to drink until after the test. However, once he refused the breathalyzer test, Officer Balentine got him a bottle of water to drink. Officer Edens then filed for a search warrant to get a sample of his blood that was granted. Once the warrant was granted, Officer Edens served the warrant to Baker. I then transported Baker to Conway Regional Medical Center to have his blood taken. While we were at the hospital, Baker calmed down considerably and was cooperative with the staff and Officer Edens. Once Officer Edens got the blood from the hospital staff, I transported Baker to Faulkner County Detention Center Unit 2 for Driving While Intoxicated 1st Offense, Driving left of center, and Refusal to Submit to a Chemical Test.</p>					
<p>I failed to obtain proper mug shots of Mr. Baker at Faulkner County Unit 2.</p>					
<p>SUPPLEMENT #5    JOEY BALENTINE - 419    08/27/2016    00:00</p>					
<p>On 08-26-16, Officer Foreman and I overheard dispatch advise of an intoxicated driver on Dave Ward Dr. They stated that Officer Woods was currently following the vehicle as it traveled west on Dave Ward Dr. Dispatch said that the vehicle was believed to be a Nissan Sentra, but the license plate, 3GTW, returned to a Toyota Corolla. As the vehicle cleared the intersection of Farris Rd, Officer Foreman and I were set up at The Bears Den Shell. As the vehicle passed by, Officer Foreman pulled out behind Officer Woods that was in his personal vehicle.</p>					
<p>As we cleared the intersection of Salem Rd. and Dave Ward Dr. Officer Woods moved over to the outside lane and we were able to catch up to the car. Upon initial observation of the vehicle, it was weaving inside its lane. I also noticed that the driver had turned the dome light on and off a couple of different times. As we passed by Walmart on Dave Ward Drive, the driver signaled to merged from the left lane into the right lane. Just as the vehicle entered halfway into the right lane, it began to drift back left. The vehicle traveled at the very least 150 feet while straddling the dotted lane divider. Officer Foreman initiated a traffic stop on the vehicle at that time.</p>					
<p>Upon stopping, the driver of the vehicle applied a great amount of pressure to the brakes causing the vehicle to slow at a sudden rate. Officer Foreman made contact on the driver side of the vehicle and advised the driver of why he had stopped him. I approached the passenger side of the vehicle and could immediately smell the odor of intoxicants as soon as the driver rolled down the passenger side window. I could also hear that the driver had slurred speech while he was talking to Officer Foreman. Officer Foreman asked the driver if he had been drinking and he stated "No".</p>					

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<b>NARRATIVE:</b>					
<p>After speaking with the driver, Officer Foreman had the driver step out of the vehicle. I noticed that the driver was unsteady on his feet upon exiting the vehicle. Officer Foreman began to give instructions on SFST's. Officer Foreman administered the Horizontal Gaze Nystagmus Test on the driver, who had been identified as Gilbert Baker. Mr. Baker was advised multiple times by Officer Foreman to only follow his finger with his eyes without moving his head. The next test was the 9 step walk and turn. Upon giving Mr. Baker instructions as to how to perform the test, I did see him (Officer Foreman) lose balance on his second step. Officer Foreman realized that he had given Mr. Baker the wrong impression as to how to perform the test, therefore he gave him the instructions 2 more times. The last test that Officer Foreman administered was the one leg stand. He gave Mr. Baker proper instructions on that test. After the tests, Officer Foreman placed Mr. Baker into custody for Driving While Intoxicated.</p>					
<p>Mr. Baker's vehicle was released to his son, as instructed by Sgt. Wilson. Mr. Baker was transported to the Conway Police Dept. where Officer Edens arrived to read him the DWI Rights Form. Mr. Baker was uncooperative through the majority of that particular process. He complained that his tongue was swollen from dry mouth, but Officer Edens advised that it was of normal size. He requested to have a drink of water, but he was not allowed water due to the breath test not yet being administered. Mr. Baker shook his head no when Officer Edens asked him to take the breath test. Officer Edens then made applied for and was granted a search warrant for Mr. Baker's blood through Judge Weaver. During the warrant application process, Mr. Baker was verbally belligerent and emotional toward Officer Edens, Officer Foreman and myself. He asked me 2 times if he could urinate in which I granted his wishes. The first time I cuffed Mr. Baker in the front and walked him to the restroom. He stood in front of the toilet for a few minutes and then said that he could not properly use the restroom with his hands cuffed. After several attempts to take Mr. Baker to the restroom for the second time, he finally was able to relieve himself.</p>					
<p>As Officer Edens returned with a signed search warrant, Mr. Baker had started calm down and act reasonable. He was transported to Conway Regional Medical Center for a blood draw, after being served with the warrant. Mr. Baker continued to cooperate the remainder of the timer. He was transported to FCSO Unit 2 and jailed. His bond was set at \$1,395.00 cash or pro.</p>					
<p>SUPPLEMENT #7    TIM WOODS - 403    08/27/2016    21:49</p>					
<p>On 8/26/16, I was traveling on I-40 west and seen a dark colored vehicle with a University of Central Arkansas license plate driving erratically in the inside lane. As I was in the center lane the vehicle traveled over the fog line and also the rumble strip. The driver corrected its steering and came back into the lane. The vehicle crossed the white stripped line into my lane of travel. I slowed my speed and the vehicle went back into its lane. The vehicle continued to drive erratic and at times it would slow its speed considerably when it would it would come back into the lane after veering outside of its lane. I was traveling between 70-75 mph and the vehicle sped up and I lost sight of it.</p>					
<p>As I got closer to the 129 exit, I got into the outside lane of traffic and noticed that the same vehicle from earlier was in front of me. As we exited I-40 the vehicle took the Dave Ward Drive West exit and before it turns onto Dave Ward Drive, it veered outside of the yellow line almost</p>					

## INCIDENT REPORT NARRATIVE CONTINUATION

PAGE #	DATE	INCIDENT NUMBER	REPORTING OFFICER	CODE #	VICTIM NAME
8	08/26/2016	16-10027	ANDREW J. FOREMAN	517	
<p><b>NARRATIVE:</b>                      hitting the concrete barrier. The vehicle began to drive west on Dave Ward and as it traveled through the light at Exchange, it crossed the center lane and came back into its lane and applied the brakes and slowed down considerably. I was directly behind the vehicle and when it did that I called Conway communications and advised them of what I saw. I began to follow the vehicle as it continued to drive erratic and would apply its brakes to slow down. I moved into the outside lane and would slow down to keep the vehicle in sight. I continued to follow the vehicle while on the phone with dispatch giving them information about the license plate, make, model and color of the vehicle. As we approached the intersection of Dave Ward Drive and Salem Road, I was told that a marked unit was sitting in the gas station parking lot waiting on the vehicle to pass. As we passed the intersection I saw the marked unit pull out and that is when I turned on my hazard lights and told dispatch to relay the information that it was the vehicle that was in front of me. I moved and the marked patrol car got in behind the vehicle. I followed until the intersection of Dave Ward Drive and McNutt Road and turned onto McNutt Road after the patrol unit activated its blue lights to make the traffic stop.</p>					
<p>SUPPLEMENT #9    HEATH EDENS - 490    08/28/2016    04:23</p>					
<p>On 08/26/16, at 2042 hrs. I was contacted by Ofcr. Joey Balentine in reference to a DWI arrest that had been made on Gilbert Baker. I was requested to the PD to assist with the processing of this arrest.</p>					
<p>Upon my arrival at Conway PD, I was walking outside the booking area and could hear a male voice talking loudly. Upon entering the building via the sally port and securing my weapon, I walked into the booking area. I could immediately smell the odor of intoxicants as I opened the door. I observed a white male, later identified to me as Gilbert Baker, sitting on the bench with Ofcr. Balentine on the other side of the officer desk.</p>					
<p>Mr. Baker was speaking loudly while talking to Ofcr. Balentine and the front of his shirt from his chin, down to about mid-ways, was wet. Mr. Baker had slurred speech and was telling me that Ofcr. Balentine refused to give him water to drink. Mr. Baker said he has to have water at least every 35 minutes, per doctor order, and was saying that we were violating the law by not giving him anything to drink. I noticed that Mr. Baker's eyes were bloodshot, watery, and glassy, along with his behavior was confrontational and he had a poor attitude.</p>					
<p>Mr. Baker said that his tongue will swell up if he does not have water and he felt sorry for what was going to happen due to us violating the law. Mr. Baker was talking, breathing, did not appear to be having any distress, and he was constantly jumping up from a seated position on the bench. His expressions and movements were exaggerated. I had Mr. Baker open his mouth and show me his tongue. It appeared to be normal and when I asked him if he needed to be taken to the hospital, he said no, that he just needed water. I explained to Mr. Baker that until the breath test was complete, he could not have anything to drink at this time.</p>					
<p>I read to Mr. Baker the DWI rights form standing beside him. Mr. Baker was jumping up from a seated position and then would sit back down while I was reading the form to him. Mr. Baker was talking and yelling over me as I was reading the form. I asked Mr. Baker if he understood all</p>					

## INCIDENT REPORT NARRATIVE CONTINUATION

PAGE #	DATE	INCIDENT NUMBER	REPORTING OFFICER	CODE #	VICTIM NAME
9	08/26/2016	16-10027	ANDREW J. FOREMAN	517	
<b>NARRATIVE:</b>					
parts of his rights and he did not respond. Mr. Baker had his tongue stuck out of his mouth was touching it with his fingers. I then asked Mr. Baker if he would take the breath test. Mr. Baker still had his fingers on his tongue and shook his head no.					
I stood in front of Mr. Baker and explained that I needed him to initial the form for the parts that I had read to him, initial his answers to the questions, and sign the form. Mr. Baker began to speak again, but made no attempt to initial or sign the form. I marked refused to initial or sign on the form and Mr. Baker again requested water. I told Ofcr. Balentine to go get Mr. Baker some water, since he had refused the breath test. Ofcr. Balentine brought Mr. Baker a bottle of water and a cup. Mr. Baker was not happy about how Ofcr. Balentine had handed him the water and was arguing with him.					
Mr. Baker's information was placed into the Intox EC/IR II breath testing instrument and while I was doing this, he stood up facing towards me behind the instrument. Mr. Baker was talking loudly to me and had placed his water bottle on the brick wall surrounding the instrument. I told Mr. Baker to remove the water bottle and to not place it on the wall again. A refusal ticket was printed out. I made contact by phone with Deputy City Attorney Graham Jones and then District Judge Susan Weaver in reference to a search warrant for a blood draw on Mr. Baker.					
I began filling out the affidavit for the search warrant and the whole time, Mr. Baker was confrontational, argumentative, and yelling. Mr. Baker was not happy with my telling him that he could not call his wife at this moment, which he would be able to once he got to the jail. Mr. Baker asked me at least three different times to call his wife. Due to his uncooperativeness and behavior thus far, I finally told Ofcr. Balentine to call Mr. Baker's wife and put it on speaker phone in the hopes that it would calm him down and he would be more cooperative. Mr. Baker spoke to his wife and then she wanted to speak with an officer. I spoke with her and after explaining the current situation to the best of my knowledge, I hung up the phone.					
Mr. Baker was handcuffed on the bench by his right arm on the wall. Mr. Baker stood up, with his fists balled up, walked as far forward as he could, and began pointing at me. Mr. Baker was yelling at me and saying I had been disrespectful to his wife and he better never hear me talk to his wife again like that. Mr. Baker sat back down, repeated the statement, and then jumped back up again. His face was flush and he was yelling.					
I left the booking area to email the search warrant affidavit and search warrant to District Judge Susan Weaver. Judge Weaver signed the search warrant and emailed the documents back to me.					
Upon my re-entry into the booking area, Mr. Baker's face was wet, the front of his shirt was now wet all over, and he was sitting on the bench. Mr. Baker's attitude was completely different and he apologized to me for his behavior.					
I served Mr. Baker with a copy of the signed search warrant for a blood draw and then read to him the contents of the search warrant.					
Mr. Baker was transported to Conway Regional Medical Center Lab. Once at the lab, Lab Assistant					



**CONTINUATION PAGE**

PAGE # 11	DATE 08/26/2016	INCIDENT # 16-10027	REPORTING OFFICER ANDREW J. FOREMAN	CODE # 517	VICTIM NAME
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**Offense(s)**

OFFENSE # 2	UCR CODE 90Z	OFFENSE STATUS: <input type="checkbox"/> (A) Attempted <input checked="" type="checkbox"/> (C) Completed	OFFENDER USED: <input checked="" type="checkbox"/> (N) Not Applicable <input type="checkbox"/> (A) Alcohol <input type="checkbox"/> (C) Cptr. Equip. <input type="checkbox"/> (D) Drugs	Burglary (220) Location 14&19: # PREMISES ENTERED?	FORCED ENTRY? <input type="checkbox"/> Yes <input type="checkbox"/> No
STATUTE 5-65-205	OFFENSE DESCRIPTION REFUSAL TO SUBMIT TO CHEMICAL TEST		ADDRESS OF OFFENSE 1200 DAVE WARD DR, INT L/R, CONWAY, AR 72034		
LOCATION CODE (Enter 1)		WEAPON FORCE: (Max. 3) <i>(For 11-15, place "A" in space next to box if weapon was an Automatic.)</i>			
<input type="checkbox"/> (01) Air/Bus/Train Terminal <input type="checkbox"/> (02) Bank/Savings & Loan <input type="checkbox"/> (03) Bar/Night Club <input type="checkbox"/> (04) Church/Synagogue/Temple <input type="checkbox"/> (05) Commercial/Office Building <input type="checkbox"/> (06) Construction Site <input type="checkbox"/> (07) Convenience Store <input type="checkbox"/> (08) Department Discount Store <input type="checkbox"/> (09) Drug Store/DR's Office/Hospital <input type="checkbox"/> (10) Field/Woods <input type="checkbox"/> (11) Government/Public Building <input type="checkbox"/> (12) Grocery/Supermarket <input type="checkbox"/> (13) Highway/Road/Alley <input type="checkbox"/> (14) Hotel/Motel/Etc. <input checked="" type="checkbox"/> (15) Jail/Penitentiary <input type="checkbox"/> (16) Lake/Waterway <input type="checkbox"/> (17) Liquor Store <input type="checkbox"/> (18) Parking Lot/Garage <input type="checkbox"/> (19) Rental/Storage Facility <input type="checkbox"/> (20) Residence/Home <input type="checkbox"/> (21) Restaurant <input type="checkbox"/> (22) School/College <input type="checkbox"/> (23) Service/Gas Station <input type="checkbox"/> (24) Specialty Store (TV,Fur, etc.) <input type="checkbox"/> (25) Other/Unknown		<input type="checkbox"/> (11) Firearm (Type not stated) <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (14) Shotgun <input type="checkbox"/> (15) Other Firearm <input type="checkbox"/> (20) Knife/Cutting Instru. (Ax, etc.) <input type="checkbox"/> (30) Blunt Object (Club, etc.) <input type="checkbox"/> (35) Motor Vehicle (As weapon) <input type="checkbox"/> (40) Personal Weapons (Hands, etc.) <input type="checkbox"/> (50) Poison <input type="checkbox"/> (60) Explosives <input type="checkbox"/> (65) Fire/Incendiary Device <input type="checkbox"/> (70) Narcotics/Drugs/ Sleeping Pills <input type="checkbox"/> (85) Asphyxiation <input type="checkbox"/> (90) Other <input type="checkbox"/> (95) Unknown <input type="checkbox"/> (99) None			
TYPE CRIMINAL ACTIVITY: (Max. 3)		TYPE GANG ACTIVITY: (Max. 3)		BIAS MOTIVATED CRIME:	
<input type="checkbox"/> (B) Buying <input type="checkbox"/> (C) Cultivate/Manufacture/Publish <input type="checkbox"/> (D) Distributing/Selling <input type="checkbox"/> (E) Exploiting Children <input type="checkbox"/> (O) Operating/Promoting/Assisting <input type="checkbox"/> (P) Possessing/Concealing <input type="checkbox"/> (T) Transport/Transmit/Import <input type="checkbox"/> (U) Using/Consuming		<input type="checkbox"/> (G) Other Gang <input type="checkbox"/> (J) Juvenile Gang <input type="checkbox"/> (N) None/Unknown		None (No Bias)	
OFFENSE # 3	UCR CODE 90Z	OFFENSE STATUS: <input type="checkbox"/> (A) Attempted <input checked="" type="checkbox"/> (C) Completed	OFFENDER USED: <input checked="" type="checkbox"/> (N) Not Applicable <input type="checkbox"/> (A) Alcohol <input type="checkbox"/> (C) Cptr. Equip. <input type="checkbox"/> (D) Drugs	Burglary (220) Location 14&19: # PREMISES ENTERED?	FORCED ENTRY? <input type="checkbox"/> Yes <input type="checkbox"/> No
STATUTE 27-51-301	OFFENSE DESCRIPTION VEHICLES TO BE DRIVEN ON RIGHT SIDE OF ROAD		ADDRESS OF OFFENSE 1200 DAVE WARD DR, INT L/R, CONWAY, AR 72034		
LOCATION CODE (Enter 1)		WEAPON FORCE: (Max. 3) <i>(For 11-15, place "A" in space next to box if weapon was an Automatic.)</i>			
<input type="checkbox"/> (01) Air/Bus/Train Terminal <input type="checkbox"/> (02) Bank/Savings & Loan <input type="checkbox"/> (03) Bar/Night Club <input type="checkbox"/> (04) Church/Synagogue/Temple <input type="checkbox"/> (05) Commercial/Office Building <input type="checkbox"/> (06) Construction Site <input type="checkbox"/> (07) Convenience Store <input type="checkbox"/> (08) Department Discount Store <input type="checkbox"/> (09) Drug Store/DR's Office/Hospital <input type="checkbox"/> (10) Field/Woods <input type="checkbox"/> (11) Government/Public Building <input type="checkbox"/> (12) Grocery/Supermarket <input checked="" type="checkbox"/> (13) Highway/Road/Alley <input type="checkbox"/> (14) Hotel/Motel/Etc. <input type="checkbox"/> (15) Jail/Penitentiary <input type="checkbox"/> (16) Lake/Waterway <input type="checkbox"/> (17) Liquor Store <input type="checkbox"/> (18) Parking Lot/Garage <input type="checkbox"/> (19) Rental/Storage Facility <input type="checkbox"/> (20) Residence/Home <input type="checkbox"/> (21) Restaurant <input type="checkbox"/> (22) School/College <input type="checkbox"/> (23) Service/Gas Station <input type="checkbox"/> (24) Specialty Store (TV,Fur, etc.) <input type="checkbox"/> (25) Other/Unknown		<input type="checkbox"/> (11) Firearm (Type not stated) <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (14) Shotgun <input type="checkbox"/> (15) Other Firearm <input type="checkbox"/> (20) Knife/Cutting Instru. (Ax, etc.) <input type="checkbox"/> (30) Blunt Object (Club, etc.) <input type="checkbox"/> (35) Motor Vehicle (As weapon) <input type="checkbox"/> (40) Personal Weapons (Hands, etc.) <input type="checkbox"/> (50) Poison <input type="checkbox"/> (60) Explosives <input type="checkbox"/> (65) Fire/Incendiary Device <input type="checkbox"/> (70) Narcotics/Drugs/ Sleeping Pills <input type="checkbox"/> (85) Asphyxiation <input type="checkbox"/> (90) Other <input type="checkbox"/> (95) Unknown <input type="checkbox"/> (99) None			
TYPE CRIMINAL ACTIVITY: (Max. 3)		TYPE GANG ACTIVITY: (Max. 3)		BIAS MOTIVATED CRIME:	
<input type="checkbox"/> (B) Buying <input type="checkbox"/> (C) Cultivate/Manufacture/Publish <input type="checkbox"/> (D) Distributing/Selling <input type="checkbox"/> (E) Exploiting Children <input type="checkbox"/> (O) Operating/Promoting/Assisting <input type="checkbox"/> (P) Possessing/Concealing <input type="checkbox"/> (T) Transport/Transmit/Import <input type="checkbox"/> (U) Using/Consuming		<input type="checkbox"/> (G) Other Gang <input type="checkbox"/> (J) Juvenile Gang <input type="checkbox"/> (N) None/Unknown		None (No Bias)	

**Arrest Offense(s)**

**Arrestee #1: Baker, Gilbert**

SEQ.	OFFENSE CODE	OFFENSE DESCRIPTION
2	90Z	REFUSAL TO SUBMIT TO CHEMICAL TEST
3	90Z	VEHICLES TO BE DRIVEN ON RIGHT SIDE OF ROADWAY