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05/16/2009 1222

At approximately 0736 I was radio dispatched to the area of Essex Street and Grove Street for a motor vehicle that struck pedestrians. Also dispatched and arriving on the scene were Sgt Lopresti, Patrolman Sacco, Patrolman Vecchio, and Patrolman McCarthy.

Upon my arrival I saw a gray car; later identified as MA REG: 9978MZ, 2003 Chevy Cavalier color gray. Both the driver and passenger side doors were open along with the trunk being open. The car was in the bushes at the intersection of Grove Street and Essex Street. The vehicle had heavy windshield damage to the passenger side. Off to the right of the motor vehicle was a body, later identified as the deceased; MAREAN, CAROLE DOB: 10/19/1941 from Saugus, that was covered up with a white sheet and I could see the feet and toes. I could also hear a woman later identified as; MAREAN, CHARLOTTE DOB: 08/26/1966 out of Saugus screaming and crying in pain. She was being attended to by EMS and later transported by EMS to the hospital. I then parked my cruiser, exiting and walking up to two individuals later identified as; CARUSO, JONATHAN DOB: 03/06/1991 out of Saugus and PALOMBA, ROSA DOB: 04/10/1991 out of Saugus. Both JONATHAN and ROSA were on the ground in front of the bushes at 103 Essex Street. ROSA was sitting, crying and screaming, "We killed that person!" While JONATHAN was laying with his head in ROSA'S lap. I asked them both if they were alright and if they had suffered any injuries. They both stated that they were not hurt. I asked them if they were involved with the accident, to which again ROSA was crying and screaming, "YES! We wanna take full responsibility to what happened." At that point a crowd began to grow around us with people yelling at JONATHAN and ROSA that they killed that person and they should be punished. For their safety I asked them to come with me to the back of my cruiser. While walking to the cruiser JONATHAN was very uneasy on his feet and making comments about how he should not have been driving after he had been drinking. ROSA was making statements that, "I just want to die." JONATHAN and ROSA were both read their rights as I placed them in the back seat of my cruiser for their safety and told that they were not under arrest. I then asked JONATHAN what had happened. JONATHAN spoke in a heavily slurred tone of voice and told me that he was driving and must have fallen asleep at the wheel as the next thing he remembers is hitting a street sign and his friend, later identified as one; BALDWIN, CHRISTOPHER DOB: 04/28/1990 telling him that he had just hit two people with his car then got out of the car and ran away. While speaking with JONATHAN I detected a heavy odor of alcohol coming from his breath. At that point I asked JONATHAN if he had been drinking to which he stated he had been drinking some beers. I asked how many beers, to which JONATHAN said he had 10 beers earlier as he was celebrating prom with his friends. I asked JONATHAN where he had obtained the beer from. Both he and ROSA said that CHRISTOPHER was the one who had got the beer for them. I asked JONATHAN if he would perform Field Sobriety Tests for me. JONATHAN said he would.

I asked JONATHAN if he had any physical or medical conditions that would prevent him from performing tests of balance and coordination. JONATHAN said he did not have any conditions.

The first FST that I administered to JONATHAN was the Horizontal Gaze Nystagmus (HGN). I asked JONATHAN if he wore glasses or contacts. JONATHAN said he wore neither. I asked JONATHAN to stand in front of me with his arms at his side. I then told him that I would need him to follow my pen with his eyes and his eyes only. I asked if he understood to which JONATHAN said he understood. JONATHAN'S eyes were blood shot and glassy. JONATHAN'S eyes were of equal pupil size and had equal tracking. I stood in front of JONATHAN and asked him to reach out and with the tip of his pointer finger to touch the top of my pen. He was unable to do this and touched the side of the pen. JONATHAN wasn't able to perform this test as directed for the following reasons:

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- ☐ Lacked smooth pursuit
- ☐ Distinct Nystagmus at maximum deviation
- ☐ Nystagmus onset prior to 45 degrees

The second FST that I administered to JONATHAN was the Walk and Turn. I instructed him to place his left foot in front of his right foot heel to toe with his arms at his side and not to begin any portion of the testing until told to do so. I then instructed JONATHAN that I needed him to walk nine steps touching heel to toe in a straight line direction. At the end of nine steps I needed him to turn around with small steps and make nine steps back in a straight line direction stepping and touching heel to toe. JONATHAN was also instructed that he needed to count out his steps loudly. JONATHAN wasn't able to perform this test as directed for the following reasons:

- Could not keep balance during instructions
- Started too soon
- Failed to touch heel to toe on any step (6 inches between steps)
- Did not count all of his steps out loudly

The third and final FST that I administered to JONATHAN was the One Leg Stand. I instructed and demonstrated to JONATHAN that when told to begin I needed him to raise one leg off the ground 6-8 inches and count out loud until told to stop. JONATHAN wasn't able to perform this test as directed for the following reasons:

- Started too soon
- Put his foot down too soon (On two occasions)
- Could not count in a chronological order
- While counting his speech was heavily slurred
- Did not keep his foot 6 - 8 inches off the ground

At this point I formed the opinion that JONATHAN had been operating a motor vehicle under the influence of intoxicating liquor. JONATHAN was then placed under arrest, handcuffed (double-locked), searched, placed in the back of marked police cruiser 11 and transported back to the police station where he was booked per department SOP. When taking JONATHAN out from the back of the cruiser, the cruiser smelled heavily of an odor of alcohol to which all windows of the cruiser had to be put down for several hours to air the scent out.

It was relayed to this Patrolman from Patrolman McCarthy that while on scene he observed 4 beer cans inside the open trunk of the car.

Witness statements were filled out voluntarily by; QUEIROZ, MICHELLE DOB: ~~06/03/1972~~ out of Saugus and by; TRUMPLER, DONNA DOB: ~~06/03/1972~~ out of Saugus.

Technician O'DONNELL and O'CONNELL from Cataldo Ambulance Service made

NARRATIVE FOR PATROL MATTHEW S DONAHUE

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contact with CAROL at 0758 They were unable to find a pulse, blood pressure, or Resp. Their assessment of CAROL was unresponsive in the prone position, with no activity in either the left or right lung, pupils unreactive and her skin was pale and mottled. Chief Complaint was Sudden Death caused by Multiple Trauma. See run sheet 63718 for further information.

SGT ALVEREY from the Office of The Chief Medical Examiner arrived on scene at 0915 taking control of the body. See CME Case number: 2009-11357 for further information.

JONATHAN is being held without bail per Clerk Dan Day. The Key to the car was seized as evidence per request of State Police Accident Reconstruction Trooper John Bibeau.

When JONATHAN was removed from his cell to be transported to Middleton the cell smelled heavily of an odor of alcohol.

As an end result JONATHAN is being charged with the following:

90/24(G)(b): Motor Vehicle Homicide (Negligently)

90/24/J: OUI Liquor

138/22: Minor Transporting Liquor

This is an active and ongoing investigation and further charges could be pending.

Respectfully Submitted,
Patrolman Matthew S Donahue
Saugus Police Department