

Acton Police Department

P. O. Box 2212
371 Main Street
Acton, MA 01720
978-929-7711



Incident Number: 2017000001748

File No: N/A

Dispatch Incident Number: 2017000001833

Print Date: April 3, 2019

Printed By: bleblanc

Incident Report

Incident Information										
Occurred On/From	Day of Week	Date	Time	Occurred To	Day of Week	Date	Time	Reported On	Date	Time
	Sun	01/22/2017	1:20:00AM		Sun	01/22/2017	1:20:00AM	→	1/22/2017	1:20:20AM
Reported As			Incident Type - Primary			Arresting Officer				
Motor Vehicle Violation P:001748			OUI Alcohol or Drugs			Patrol Officer Jacob Frelick				
Incident Address						Reporting Officer				
387 MASSACHUSETTS AV, ACTON, MA 01720						Patrol Officer Jacob Frelick (162JF)				
Sector		Stat. Area		Sub Stat. Area		Census Tract		Landmark		
SOU		West Precinct Map F2								
Business Name				Incident Types - Other				Action Taken		
ROCHE BROS SUPERMARKET				Motor Vehicle Violation				ARREST		

Associated Persons Summary						
Type	Name(Last, First, MI)	Date of Birth	Sex	Home Phone #	Cell Phone #	Work Phone #
Reporter	Hudson, Kathleen MAHAN		F			N/A
Address: 160 NAGOG HILL RD, ACTON, MA 01720						
Arrested	Guerrera, Angela C		F			N/A
Address:						
Other	Dzerkacz, Frank		M	N/A	N/A	N/A
Address: 20 Peabody Dr, Stow, MA						

Involved Officers			
Officer Title	Officer Name	Officer Type	Division
Detective	Leo D Gower	Reporting Officer	Acton Police Department
Sergeant	Scott C Krug	Responding Officer	Acton Police Department
Patrolman	David C Joachim	Responding Officer	Acton Police Department
Patrol Officer	Ana Dapkas	Responding Officer	Acton Police Department
Patrol Officer	Jacob Frelick	Reporting Officer	Acton Police Department
Patrol Officer	Jacob Frelick	Responding Officer	Acton Police Department

IBR/UCR Offenses			
Offense Number	IBR Type	Statute ID	IBR Type Description

Arrest Offenses				
Seq #	Chapter	Section	Name(Last, First, MI)	Description of Offense

Arrestee Seq. # 1										
Suspect Type		Suspect Name		Alias/Nickname		Occupation		Probation Central File		SSN
N/A		Guerrera, Angela C		GARCIA, ANGELA C		State Trooper		N/A		N/A
Date of Birth	Age	Sex	Race	Ethnicity	Skin Tone	Height	Weight	Eye Color	Hair Color	
	41	Female	Caucasian	Hispanic	Light Brown	5' 6"	135	Brown	Brown	
Scars / Marks / Tattoos / Other Physical Characteristics:										
No Physical Characteristic Data Reported										

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Vehicle Info

Reg Plate - State (Year)	Vehicle Year, Make, Model	VIN	Primary Color	Second Color	Insurance Co.
MA (2016)	2006 Toyota N/A		Green	N/A	COMMERCE INSURANCE

Towed by: INTERNATIONAL COLL. 978 369 9441 Towed to: KEEFE RD Acton

Citations

Citation No	Code	Date	Status	Statute	Description

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Narratives for Incident Number 2017000001748 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Patrol Officer Jacob Frelick (162JF) Division: Acton Police Department

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 03:14	OUI Liquor	Patrol Officer Jacob Frelick (162JF)	Closed	Sergeant Scott Krug	01/22/2017

On Sunday, January 22, 2017, at approximately 1:15am, dispatch informed me that Maynard PD called and reported that a green Toyota Highlander (MA) almost side-swiped another vehicle in their town. They reported that the vehicle continued North on route 27 into Acton. I was conducting routine traffic enforcement at 226 Main St. (Route 27), when I received the information. For the purpose of this report, all roads in Acton are public ways.

At approximately 1:18am, I saw a green Toyota Highlander traveling North on Main St. I pulled out behind the vehicle so that I could read the license plate number. I was able to confirm that this vehicle was MA. I followed behind the vehicle as it approached the intersection of Main St. and Massachusetts Ave. The traffic light at the intersection was red and the operator of the Highlander turned right onto Massachusetts Ave. without stopping first. I turned right onto Massachusetts Ave. and activated my emergency lights. The operator pulled over in front of 387 Massachusetts Ave.

As I approached the driver's side window I could immediately smell the odor of an alcoholic beverage coming from the vehicle. I asked the operator, later identified as Angela Guerrero, for her driver's license and vehicle registration. Angela showed me her State Trooper badge and informed me that she does not have her license or her registration with her at the moment. Angela also stated, "I live two minutes down the road, do we really need to do this?" As she was speaking to me I observed that her eyes were glossy and bloodshot and her speech was slurred. I asked Angela if she had been drinking and after a short pause, she held up her badge and stated, "I can't believe this is happening right now." I explained to Angela that I needed to perform some tests to see if she could safely operate a motor vehicle. Angela was reluctant to get out of her vehicle and asked who my Sergeant was. At this time Sergeant Krug was on scene as back-up.

Angela was unsteady on her feet as she exited her vehicle and walked to the testing area. The testing area was flat, well lit, with a white fog line painted on the asphalt. I asked Angela if she had any medical conditions that would prevent her from taking these tests. She replied that she did not.

Horizontal Gaze Nystagmus

I instructed Angela to follow the tip of my pen with her eyes only. As I started to move my pen, she immediately began turning her head. I repeated my instructions and started the test over. I observed a lack of smooth pursuit with both eyes, as well as nystagmus on-set prior to 45 degrees. I observed this in both eyes. Angela displayed signs of impairment during this test.

Nine Step Walk and Turn

I instructed Angela to stand on the white line with one foot in front of the other with the heel of the front

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Narrative by: Patrol Officer Jacob Frelick (162JF) Division: Acton Police Department (continued)

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 03:14	OUI Liquor	Patrol Officer Jacob Frelick (162JF)	Closed	Sergeant Scott Krug	01/22/2017

foot, touching the toe of the rear foot. I began to demonstrate and she stated, "Obviously I know how to do it." I instructed Angela to begin the test. She was unable to walk heel to toe without stepping on her feet and raising her arms up for balance. Angela also stepped off line 2 times during the first 9 steps, and 2 times during the last 9 steps. Angela displayed signs of impairment during this test.

One Leg Stand

I instructed Angela that we would be moving on to the One Leg Stand test. Without instruction, Angela stood with her left foot on the white line, and her right foot off of the pavement. I demonstrated the proper stance but Angela was too unsteady on her feet to do it correctly. She stood with her right foot in the air, knee bent, and began counting to 30 very quickly. She put her foot on the ground before I counted 10 seconds on my wrist watch. I terminated this test early because I did not want Angela to fall down on the pavement. Angela displayed signs of impairment during this test.

After observing Angela during these tests, I formed the opinion that she was intoxicated, and could not safely operate a motor vehicle. At this time, I informed Angela that she was under arrest. I placed her in handcuffs, double locked them, and placed her in the back of Car#10. Officer Dapkas arrived on scene to transport Angela to the Acton Public Safety Facility, where she was booked by Sergeant Krug according to department policy. I completed a Motor Vehicle Inventory Form (attached to report) and stayed on scene until the tow truck arrived. The vehicle was towed by International Collision.

Respectfully Submitted,
Officer J. Frelick 162
Acton Police Department

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Sergeant Scott Krug (82SK) Division: Acton Police Department

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 03:15		Sergeant Scott Krug (82SK)	Closed	Sergeant Scott Krug	01/22/2017

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Narrative by: Sergeant Scott Krug (82SK) Division: Acton Police Department (continued)

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 03:15		Sergeant Scott Krug (82SK)	Closed	Sergeant Scott Krug	01/22/2017

On the above date and time a call came in for an erratic operator traveling north on Main St that almost side swiped another vehicle. The registration given was MA. Dispatch informed responding officers that the vehicle was registered to. At this point I entered dispatch and saw the registration information displayed on the computer screen. I recognized the name of the registered owner of the vehicle. The registered owner is Angela Guerrero a MA State Trooper.

Officer Frelick located the vehicle and conducted a motor vehicle stop in the area of 387 Mass. Ave. Officer Joachim responded as his back up and I responded to that location. Upon my arrival I was informed by Officer Frelick that Ms. Guerrero was the operator and that he detected an odor of alcohol. I had Officer Joachim clear from the scene due to him knowing Ms. Guerrero outside of work. I asked Officer Dapkas to respond to assist with the stop. Officer Frelick conducted FST's and as a result of the FST's she was placed under arrest.

Sgt. Scott Krug #82
Acton Police

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Patrol Officer Ana Dapkas (135AD) Division: Acton Police Department

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 01:30		Patrol Officer Ana Dapkas (135AD)	Closed	Sergeant Scott Krug	01/22/2017

I, Officer Ana Dapkas, report the following:

On the above date and time I was dispatched to 387 Massachusetts Ave to assist with a motor vehicle stop. Upon arrival Sgt. Krug was on scene and Officer Frelick was placing a female party, later identified as Angela Guerrero, under arrest. I asked Ms. Guerrero if she needed anything from her vehicle and she nodded her head in agreement. I retrieved her purse and cell phone from the vehicle and transported her back to the station.

Ms. Guerrero was booked by Sgt. Krug. Ms. Guerrero was crying and sobbing throughout the booking process. Ms. Guerrero refused the Post Arrest Breath Test after Sgt. Krug informed of her options and the consequences of submitting or refusing the test. I provided Ms. Guerrero the notice of suspension for chemical test refusal.

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Narrative by: Patrol Officer Ana Dapkas (135AD) Division: Acton Police Department (continued)

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/22/2017 01:30		Patrol Officer Ana Dapkas (135AD)	Closed	Sergeant Scott Krug	01/22/2017

Respectfully Submitted,
Officer Ana Dapkas

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Detective Leo Gower (64LG) Division: Acton Police Department

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
01/31/2017 14:09	supplement	Detective Leo Gower (64LG)	Open		01/31/2017

On January 30, 2017 I received an e-mail request from Det. Heffernan asking me to try to retrieve some video footage Detective Heffernan was provided information that Angela Guerrero who this department arrested on January 22, 2017 might be on video at the Pleasant Cafe in Maynard, Ma. On January 21, 2017 into January 22, 2017 drinking. Detective Heffernan was advised the video system at the Pleasant Cafe was exceptional.

I called the Pleasant Cafe at approximately 16:30 hrs. and spoke to Frank Dzeraacz Jr. I advised Frank about the video I would like to get a copy of. Frank advised me that the video only goes back a week. Frank who was viewing the video while I spoke to him advised me that he can only get back to January 23, 2017 and not go any further back. Frank stated that he could produce a copy of the customers credit receipt if he had a name. I gave him the name of Angela Guerrero. Frank stated he was able to print this out and would hold this for me.

I went to the Pleasant Cafe and met Frank who gave me a receipt showing that Angela Guerrero arrived at the Pleasant Cafe and her first purchase was at 21:33 hrs. on January 21, 2017 and she cashed her tab out 01:08 hrs. on January 22, 2017. The for the 8 drinks on the tab was \$52.50 and Angela left a \$20.00 tip so her total purchase was for \$72.50.

See attachments of bar receipt.

Det. Leo Gower
Acton Police Dept.

Signature - Reporting Officer

Signature - Reviewing Officer

Acton Police Department

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Incident Dispatcher Remarks:

Create User ID: system

Date & Time

01/22/2017 01:56:55

Maynard PD reporting erratic operation of MV 27NB from line. MA reg. Vehicle stopped near Roche Bros. (1) to station/
International to tow. 135AD transported one to PSF. Milage: 413 @ 0133 --- 414 @ 0136.

THE PLEASANT CAFE INC. OF
MAYNARD

#THEPLEASANTCAFEMAYNARD



36 MAIN STREET
MAYNARD, MA 01754

(978)897.4511

GUEST 1	
MICHELOB ULTRA BOTTLE x 5	\$21.05
BELVEDERE VODKA x 2	\$18.22
ADD SODA	\$0.46
HORNITOS SILVER MARGARITA	\$9.34
Subtotal	\$49.07
Tax	\$3.43
Tip	\$20.00

Total **\$72⁵⁰**

\$72.50

January 21, 2017 • 9:33 pm
Order ID: 603N6AE3T6D7R
Cashier: SATURDAY NIGHT

[Hide Details](#)

Card:

January 22, 2017, 1:08 AM
Method: SWIPED
Authorization Code: 004122
CVM: SIGNATURE VERIFIED





Customers

[< Back to Customers](#)

CUSTOMER DETAILS

Customer ID: RP22XYMEXYMSE
Name: ANGELA C GUERRERA
Date Added: 22-Jan-2017 1:08 am
Opted into marketing: No

[Edit Customer](#)

ADDRESS

No address information found

CONTACT

No contact information found

Orders

Date	Line Items	Total	Status	Employee	Details
21-Jan-2017 9:33 pm	MICHELOB ULTRA BOTTLE \$4.21 x 5 BELVEDERE VODKA \$9.11 BELVEDERE VODKA \$9.11 HORNITOS SILVER MARGARITA \$9.34	\$52.50	Paid		<u>SATURDAY NIGHT MULTIPLE</u> BARTENDERS

**Acton Police Department
Motor vehicle Inventory Form**

Incident No. 01748 Date: 1/22/17 Time: 1:35am Officer Id#: 162

Registration #: _____ State: MA Make & Type: Toyota Highlander Year: 2006

Registered Owner's Name & Address: Angela C. Guerrero

Operator's Name & Address: SAME

Operator's License #: _____ State of Issue: MA

Complete the following to the extent possible. List all property found in the vehicle, including a brief description of the property when found and designate if it has been taken for safekeeping.

Circle Y/N if found in the Vehicle:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> (Y/N) Sunglasses | <input checked="" type="checkbox"/> (Y/N) Wallet/Pocketbook | <input checked="" type="checkbox"/> (Y/N) Alcohol |
| <input checked="" type="checkbox"/> (Y/N) Backpack ^{Kids} | <input checked="" type="checkbox"/> (Y/N) Briefcase | <input checked="" type="checkbox"/> (Y/N) Clothing/Luggage |
| <input checked="" type="checkbox"/> (Y/N) CD's/CD Case | <input checked="" type="checkbox"/> (Y/N) Cassette Tapes | <input checked="" type="checkbox"/> (Y/N) Radar Detector |
| <input checked="" type="checkbox"/> (Y/N) Tools/Tool box | <input checked="" type="checkbox"/> (Y/N) Spare Tire | <input checked="" type="checkbox"/> (Y/N) Damage to M/V, if yes explain below. |

Condition of Property, if remarkable, Property taken for safekeeping and/or other items found:

Sony Portable TV, Blanket, Bicycle Helmet (Kids), CD's
Sweater

Contraband or Weapons found: (Y/N) Description: _____

Circle Towing Company: Scott's International Collision Sal's

Tow Driver's Signature: Ken B. Officer's Signature: [Signature]