

## Crandon Police Department Incident Report

DATE: 1/2/2000      TIME: 2:40 AM      CASE NO: 00-004

**SUBJECT:** Kevin D McCarthy

DOB: ██████████ 1972      Sex: M      Race: W

D.L.#: ██████████      State: IL

Phone: H - (773) ██████████

██████████  
Chicago, IL 60646-

### Incident Information:

NATURE OF INCIDENT: O.W.I.

VALUE:

INCIDENT LOCATION: Hwy 8 East

RECEIVED BY:

SOURCE: Observed by Officer

### Vehicle Information

YEAR: 1998      MAKE: Nissan/Da      MODEL: Carryall

PLATE #: HGH80

COLOR: Silver

DESCRIPTION:

VIN:

INSURANCE:

### Brief Description:

O.W.I.--First  
Possession of THC

### Officers Involved:

Todd Stamper

Investigating

On this date I was on patrol. I was headed north on Highview Dr. in the City of Crandon. I observed this vehicle slide across the intersection of Highview Dr. and E. Pioneer St. The vehicle was headed southwest and making a right turn off E. Pioneer St. onto Highview Dr. The vehicle was traveling too fast for weather conditions (there was thickly falling snow). The roads were too slippery to travel at any high rate of speed. The vehicle slid off the roadway into the ditch.

I started to pull closer to the vehicle when I observed that the vehicle was moving forward and backward. I could see that the operator was trying to get the vehicle out of the ditch. I passed the vehicle with the intent of turning my squad around so that I would be behind the vehicle. When I got just past the vehicle, it got out of the ditch and was now moving south on Highview Dr. I could see that the vehicle's signal was on to turn into a driveway. I was now parked at the intersection as I watched the vehicle. I could see that the vehicle was now headed in my direction. I pulled through the intersection and crossed over the street so that I would be facing the vehicle when it came off of Highview Dr. I watched as the vehicle approached the intersection and signaled a right turn. I waited as the vehicle passed. I turned my squad around and activated my emergency lights. The vehicle came to a stop.

I approached the driver's side window. The driver rolled the window down. I asked why they were going too fast and slid off the roadway. At this point I could smell a strong odor of intoxicant coming from the interior of the vehicle. The driver--whom I later identified as Eric Pawlak of New York--told me that his friend (who was in the front passenger seat) had just run into the ditch back where I was just at. He even mentioned about how we both could see the tire tracks because of the fresh falling snow. (I later learned from a driver's license that this subject [passenger] would be Kevin D. McCarthy, who was also the owner of the vehicle that they were in.) I found that there were three other male occupants in the rear of the vehicle. I was then assisted by Forest County Deputy Craig Justice, #617.

I asked Deputy Justice to check out the people in the rear of the vehicle and check the two male subjects in.

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the front seat of the vehicle. During a records check, we found that Kevin was suspended and Eric was valid. I felt that this might be another reason why they switched drivers. I exited my squad and I explained to Kevin that due to the weather and the road conditions, I would be arresting him for operating a motor vehicle while under the influence. I felt that I had enough evidence to show this, because of the vehicle leaving the roadway and the fact that they had to switch drivers. I had observed Kevin in the driver's seat when he passed by my squad. While speaking with Kevin at the scene, I could observe his actions and speech. There was a strong odor of intoxicant coming from his breath and clothing, and his eyes were red. These observations indicated that he had been driving while intoxicated and I had to arrest him on the above charges. Kevin also told me at the scene that yes, he had just been driving and that he switched with Eric because he [Kevin] was in no shape to drive.

During my search of Kevin I located a plastic black film container in his right front pants pocket. I also located a small white match box holder. When I asked Kevin what was in the box he said, it is only matches. I found a small amount of a green leafy substance in the film container. I opened the box and found small traces of the same substance in the match box holder. I then handcuffed Kevin and placed him in the rear of my squad. I also advised him that he would have the additional charge of possession of a controlled substance believed to be marijuana; he said that he understood.

The other subjects were searched with negative results. I had planned on arresting Eric, but with his cooperation and assistance in this matter, it helped speed up the process.

Deputy Justice and I then searched the interior of the vehicle. I found a black plastic eyeglass case underneath the driver's seat. When I opened it, again I found traces of a green leafy substance believed to be marijuana. I took all these items into my possession, along with three dollars in cash, a black wallet containing receipts and credit cards, along with some checks.

I had Bates' Service tow the vehicle; it presented a traffic hazard because of the snow conditions. Deputy Justice gave the other occupants a ride home and I transported Kevin to the Forest County Sheriff's Department. The black wallet, credit cards, receipts, and cash were turned over to the jailer. Once at the Sheriff's Dept. I issued all citations and required state forms. Kevin was asked to submit to a test of his breath and he refused. I completed all required forms and gave Kevin his copies.

I recommend that Kevin be charged with OWI--1st, Possession of a Controlled Substance (THC), and Operating a Motor Vehicle While Suspended--1st. This concluded my involvement in this matter.

OFFICER: Sgt. Todd J. Stamper, #652, CPD.

Officer: Todd Stamper