
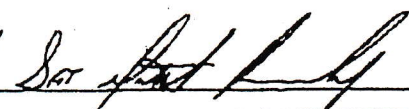


1. Complaint Number 1-2012-05105		2. Prosecutor's Case No. OCRR 2012-11059		3. Department Case No. 2012-5105	
1 September 2012		2232 hours			
<p>1 At the above date and time, I was assigned to uniformed patrol in vehicle 2704 with Patrolman Mantz 2 of this agency. As we were traveling northbound on Route 35/North East Central Avenue, I observed 3 a grey Toyota pickup truck bearing New Jersey registration R64BPH to also be traveling northbound 4 in the center lane with the sole occupant being a male driver. I observed the Toyota was carrying 5 a large white banner with black wording affixed to the flatbed portion of the vehicle. I 6 recognized this vehicle as one belonging to David A. Miller, and individual with whom I am familiar 7 from prior Police dealings.</p> <p>8 I then observed the Toyota fail to yield the right of way to a group of pedestrians crossing Route 9 35 in a westward direction within the crosswalk located at M Street. The group of five (5) 10 pedestrians was in the process of crossing Route 35 and was located entirely within the right lane 11 of travel. I was also able to pace the speed of the Toyota at thirty (30) miles per hour in a 12 twenty-five (25) mile per hour zone.</p> <p>13 At this time, I activated my patrol vehicle's emergency lights and siren, attempting to initiate a 14 motor vehicle stop of the aforementioned Toyota. The Toyota continued northbound on Route 35, 15 neither slowing nor yielding to my emergency signals. As the Toyota approached Decatur Avenue, a 16 group of three (3) pedestrians were in the process of crossing Route 35 at the cross walk located 17 therein. The pedestrians were in the center lane of Route 35 and walking west. As the Toyota 18 approached, it neither slowed nor yielded, causing the pedestrians to run in order to avoid being 19 struck.</p> <p>20 The Toyota continued northbound, still ignoring all emergency signals to stop, until it reached 21 Porter Avenue. Upon reaching Porter Avenue, the Toyota made a right turn without giving the proper 22 signal. The Toyota continued eastbound on Porter Avenue until reaching the Boulevard. Upon 23 reaching the Boulevard, the Toyota failed to either stop or yield at the posted stop sign and 24 proceeded to make a right turn without giving the proper signal. The Toyota was now traveling 25 south on the Boulevard. With it being Saturday night of Labor Day Weekend, the Boulevard was 26 extremely crowded with groups of pedestrians coming and going from the Boardwalk area.</p> <p>27 I paced the Toyota with my emergency lights and sirens activated as it accelerated to thirty (30) 28 miles per hour in a twenty-five (25) mile per hour zone. As the Toyota approached Stockton Avenue, 29 a group of three (3) pedestrians, one of whom was pushing a stroller, were in the process of 30 crossing the Boulevard at the cross walk located therein. The pedestrians were in the southbound 31 lane of the Boulevard and walking east. As the Toyota approached, it neither slowed nor yielded, 32 causing the pedestrians to jump back and pull the stroller from the roadway in order to avoid being 33 struck. At no time did the Toyota slow, yield or brake.</p> <p>34 The Toyota continued south on the Boulevard and again failed to yield the right of way to a group 35 of pedestrians walking within the crosswalk located at O Street. The group was forced to run 36 westward across the Boulevard to the safety of the sidewalk in order to avoid being struck by the 37 Toyota.</p>					
4. Rank/Name (Print or Type)		5. Badge No.	6. Page	7. Date of Report	8. Reviewed By
SGT M BRADY		81	Page 2 of 3	Sep 02, 2012	
Signature: 		9.	10.	11.	12.

1. Complaint Number I-2012-05105	2. Prosecutor's Case No. OCRR 2012-11059	3. Department Case No. 2012-5105
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38 The Toyota continued southbound on the Boulevard at thirty (30) miles per hour until reaching J
39 Street. Upon reaching J Street, the Toyota failed to stop at the posted stop sign and proceeded
40 to make a left turn without giving any sort of signal. The Toyota was now traveling East on J
41 Street.

42 The Toyota continued eastbound on J Street until reaching Ocean Avenue. Upon reaching Ocean
43 Avenue, the Toyota failed to stop at the posted stop sign and proceeded to make a right turn
44 without giving any sort of signal. As the Toyota entered the intersection, a dark colored four (4)
45 door sedan traveling south on Ocean Avenue was forced to slam on its brakes and take evasive
46 action in order to avoid a collision. The Toyota was now traveling south on Ocean Avenue.



47 The Toyota continued southbound, still ignoring all emergency signals to stop, until it reached G
48 Street. Upon reaching G Street, the Toyota made a right turn without giving the proper signal.
49 The Toyota continued west on G Street until reaching Route 35/North East Central Avenue. Upon
50 reaching Route 35/North East Central Avenue, the Toyota failed to stop at the posted stop sign and
51 proceeded to make a right turn without giving the proper signal. The vehicle then finally came to
52 a stop partially within the roadway at the intersection of G Street and Route 35/North East Central
53 Avenue. This area is located immediately to the west of 66 G Street, the home residence of the
54 Toyota's registered owner.

55 As the Toyota came to a stop, I positioned my patrol vehicle to the rear and left. Upon doing so,
56 I was able to directly observe the operator of the vehicle and immediately recognized him as David
57 A. Miller, the registered owner of the vehicle. Miller remained sitting in the driver's seat with
58 his hands in his lap. Patrolman Mantz and I immediately approached the Toyota, opened the driver's
59 door and ordered Miller out of the vehicle. Miller then stated, "I'm not going to be arrested by
60 you." Miller was again ordered out of the vehicle. Miller reluctantly complied, taking his time
61 stepping out of the vehicle.

62 I advised Miller he was under arrest and placed him into handcuffs. Miller was searched and
63 secured in the rear passenger compartment of marked unit 2705 which had arrived as backup. Miller
64 was then transported to Police Headquarters. The Toyota, which had stopped within a lane of travel
65 and was creating a hazard to other motorists, was impounded to the Seaside Park Service Center.

66 Upon arrival at Police Headquarters, I spoke with Assistant Ocean County Prosecutor Christine Lento
67 who approved and authorized the signing of a second degree eluding charge against Miller. An
68 affidavit and complaints were prepared charging Miller as such. Ocean County Superior Court Judge
69 Blaney had set Miller's bail at \$50,000.00 full. Miller was processed, fingerprinted and booked
70 according to departmental procedure. Miller was ultimately transported to Ocean County Jail in
71 lieu of bail.

End of Report

4. Rank/Name (Print or Type) SGT M BRADY	5. Badge No. 81	6. Page Page 3 of 3	7. Date of Report Sep 02, 2012	8. Reviewed By 
Signature 	9.	10.	11.	12.