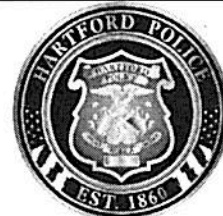


Hartford Police Department  
253 High St  
Hartford, CT 06103  
(860) 757-4000

## Incident Report

Case Number: 23-007181



On Thursday, March 16, 2023, I Officer Greeley, was assigned to Unit 515 within the Hartford Police Traffic Division. On this date, I was dressed in the Hartford Police Uniform of the day. Members of the Traffic Division and I were assigned to a State of Connecticut, Department of Transportation sponsored O.U.I. check point located at 100 Wells Street, Hartford, Connecticut. It should be noted that I am certified by the State of Connecticut to administer the three field sobriety tests in accordance with the National Highway and Traffic Safety Administration. I am also trained in Advanced Roadside Impaired Driving Enforcement (ARIDE). Furthermore, I am a certified instructor of the three Field Sobriety Tests.

At approximately 1915 hours, I responded to 389 Capitol Avenue to assist the Patrol Division with a roll over motor vehicle accident with a potentially impaired operator. Upon arrival, I observed a black Honda Civic in the middle of the roadway upside down. I spoke with Officer Mustajbasic who advised me the operator of the Civic was receiving medical attention from medical staff. Officer Mustajbasic further advised me the operator of the Civic, who was positively identified as Robin Comey (DOB 09/16/1967), reeked of alcoholic beverages and could not stay focused when being spoken to. Officer Mustajbasic was able to ascertain the contact information of the citizen caller, Ivette Duran, who called police to report the accident. Duran advised Officer Mustajbasic she was at her job located at 397 Capitol Avenue when she heard the accident, observed the Civic upside down, and immediately called the police at 1907 hours. Simultaneously, her boyfriend Randy Bonilla assisted Comey, who was the sole occupant, out of her overturned vehicle. For further information pertaining to the motor vehicle accident, please refer to Hartford Police case number 23-7179.

While Comey was waiting to sign the refusal for AMR personnel, she stated she was cold and had a jacket in her car. I asked Comey if she would like me to get her jacket for her and she told me it was ok. While giving Comey her jacket, she was standing on the sidewalk and began to lean forward, losing her balance, causing her to take a few steps to catch herself from falling. After being evaluated by AMR 927 personnel, Comey refused to be transported to the hospital and signed a refusal form for AMR personnel. It should be noted, while AMR personnel were filling out the information for the refusal, Comey was smoking a cigarette.

Once AMR personnel finished with Comey, I spoke with her and asked what happened. Comey stated she did not know what happened. I then asked Comey to provide me a synopsis of what happened and how things ended up where they were. Comey paused before stating, "I don't know, I was heading home". I asked Comey where she was heading home from and she stated, "I was heading home from uhh" followed by a blank stare, causing me to repeat my question. While speaking with Comey, I observed her speech to be slow and it appeared she was having a difficult time forming sentences. Comey eventually stated she was heading home from the restaurant but would not tell me which restaurant she was coming from. After multiple times of asking Comey what restaurant she was coming from she stated, "I'm not sure what to say." There were a few times that Comey appeared as if she was about to say what restaurant she was coming from but then refrained from saying it. Comey did state that the restaurant was right down the street. I asked Comey what she had for dinner, and she stated, "I didn't have anything for dinner." I then asked Comey what she was doing at the restaurant if she wasn't eating dinner and she proceeded to squint her eyes and tilt her head to the right.

Based on my training and experience in O.U.I. detection and enforcement coupled with my police experience, and my observations, I asked Comey to step in the driveway of 395 Capitol Avenue for the purposes of submitting to field sobriety tests, which she did. While speaking with Comey, there were multiple times that she was standing still and began to sway, losing her balance and stumbling to catch herself. The area chosen for the standardized field sobriety tests was flat, free of debris or obstruction, and illuminated primarily by my flashlight. Comey was wearing pants, a jacket and shoes

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with a wedge which were approximately two inches. It should be noted, during the test, surrounding cruisers had their emergency lights shut off.

Due to the fact that Comey was just in a motor vehicle accident, I asked if she was wearing her seatbelt which she stated she was. I further asked Comey if she hit her head or blacked out and she stated she did not. I asked Comey if she wears contacts or is diabetic and she stated no to both questions. It should be noted that the entire interaction and testing process was documented on my department issued Axon body worn camera.

The first test, the Horizontal Gaze Nystagmus test, was explained to Comey, who acknowledged verbally that she understood my instructions. Comey did not have resting nystagmus, had equal pupil size and equal tracking. Upon starting the test, Comey kept her eyes straight at me and after the stimulus passed her shoulder, she turned her head to look at the stimulus. I advised Comey to keep her head still. I began the test again and Comey failed to follow the stimulus with her eyes. I then explained to Comey one final time that I wanted her to follow the stimulus with her eyes and her eyes only and I was able to complete the test. Comey had lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes and onset of nystagmus prior to 45 degrees in both eyes. Multiple times during the test I had to remind Comey to keep her hands by her side and out of her pockets. I also observed Comey swaying front to back during most of the test. Comey failed to perform the test to standard.

The second test, the Walk and Turn test, was explained, and demonstrated to Comey. While I was explaining the start position to Comey, prior to completing the instructions, she began to start walking. I told Comey not to start yet so I could finish giving her the instructions. While giving Comey the instructions for the walking phase of the test, she exited the start position by standing in a normal position not with her feet heel to toe. I asked Comey if she understood my instructions and she stated, "I think so." I asked Comey if she had any questions and she stated, "No." while shaking her head side to side. I advised Comey she may begin the test. Comey had no heel to toe, stepped off the line, stopped after nine steps and stood stationary. After three seconds of Comey standing still, I told her to continue the test. Comey then turned around using both of her feet and I asked her if she remembered my instructions and she stated, "Yeah. You said count nine. I counted nine." Comey did not remember the rest of my instructions so I had her return to the start position and explained the test a second time. After explaining the start position to Comey, she stated, "I don't think I can do this." I asked Comey if she wanted to try and she proceeded to get in the starting position and immediately began to start walking again. I advised her I did not tell her to start yet and to return to the starting position. While finishing the instructions for the test, Comey got out of the starting position again by standing with her feet side by side and her hands in her pockets. Comey had no heel to toe, stepped off the line, and on the ninth step she used both feet to turn to her right and did not keep her front foot on the line. Comey then stopped and was facing me and I asked if she remembered the turn I instructed her to do and she stated "No." Comey then began to walk back on the line and continued to not have heel to toe, stepped off the line. On Comey's third step after the turn, she crossed her foot over so far that it caused her to lose her balance and stop the test to catch herself. Once Comey regained her balance, she continued where she left off and finished the test. Comey failed to perform the test to standard.

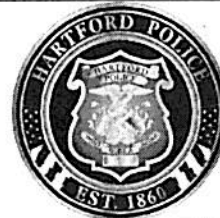
The third test, the One Leg Stand test, was explained, and demonstrated to Comey who acknowledged verbally she understood. While explaining the test to Comey, I observed her swaying back and forth and side to side. Comey also removed her hands from the side of her legs and placed them in her pockets during the instructional phase of the test. Once the test began, Comey almost immediately put her foot back on the ground. Comey continued to attempt the test and swayed during the test attempting to keep her balance. Comey also raised her arms over six inches for balance



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during the test. Comey failed to perform the test to standard.

Based on my observations along with Comey's performance on the standardized field sobriety tests, I determined Comey was operating under the influence. Based on all the aforementioned evidence, I advised Comey that I was placing her under arrest for operating under the influence. At 1946 hours, Comey was placed in double-locked handcuffs which were checked for proper fit in accordance with Hartford Police policy and procedure.

Comey was verbally advised of her Miranda Rights at 1948 hours. Comey stated she understood the warnings issued and did not wish to speak with me. Comey was transported to Hartford Police Department Mobile Breath Alcohol Testing vehicle located 100 Wells Street to finish the testing process.

A DMV records query of Comey's Connecticut operator's license ([REDACTED]) revealed her driving privileges in Connecticut are valid. A subsequent DMV records query of the Connecticut marker plate (102) affixed to Comey's vehicle revealed the vehicle is registered and insured. The query of Comey's operator's license revealed no active warrants.

At 2000 hours, Comey was read the implied consent advisory. Comey was afforded the opportunity to telephone an attorney at 2000 hours. Comey attempted to contact The Law Offices of David Minicozzi (203-483-7069) multiple times but was unable to contact the law firm. Comey left a message on the answering machine for Minicozzi's office. Comey then attempted to contact Attorney Andy Campbell (203-671-9040) multiple times but was unable to contact him as well.

I asked Comey if she would like to provide me with two breath samples and she stated, "No I don't want to submit to that." Comey then stated "Why what happens if I don't want." I advised Comey the consequences are explained in the implied consent advisory I read to her, and she asked me to explain it to her again. I read the implied consent advisory again to Comey at 2015 hours. I asked Comey again if she would like to provide two breath samples and she stated, "Sure."

The first breath sample was collected at 2019 hours and revealed a blood alcohol concentration of 0.1446. The second breath sample was collected at 2039 hours and revealed a blood alcohol concentration of 0.1400. Comey was provided with a copy of the results at 2044 hours.

Based on the above stated facts and circumstances, probable cause exists to charge Robin Comey (DOB 09/16/1967) in violation of Connecticut General Statute Section, 14-227a, Operating Under the Influence. It should be noted, at the time of this writing we were unable to locate witnesses who observed how the crash occurred and due to the time of day, no privately owned video surveillance footage was able to be obtained. Furthermore, there are no city cameras in the area that captured this incident.

A State of Connecticut A44 form was completed and will be forwarded along with this report to the Connecticut Department of Motor Vehicle Administrative Per Se Unit for further action. Comey's license was seized and will be mailed back after the statutory revocation period.

Case closed by arrest.

### Officers

Approved By: Clark, Corey 1481

Date: 03/17/2023 01:12:24

Report By: Greeley, Travis 1839

Date: 03/17/2023 01:11:00