

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY For Official Use

Probable Cause Statement and Judicial Determination

Weyker, Tanya H. _____
Name of Arrested Person

_____ Case No. _____

_____ Date of Birth _____

1. I state as follows:
- a. I am the arresting officer in this case.
 - b. I am a law enforcement officer and make this statement on information and belief.
2. The above-named person was arrested without a warrant on 02/20/2013 at 2356
a.m. p.m.
- How identified: verbally WI D.L. Other (specify): _____
Agency case no. _____ Arresting Officer: Deputy Scott Griffin Department: MCSO

3. I have probable cause to believe that the arrested person committed the following offense(s):
- | <u>Offense(s)</u> | <u>Statute Number(s)</u> |
|---|--------------------------|
| Operating While Intoxicated - 1 st | 346.63(1)(a) |
| Cause Injury/Operating While Intoxicated | 346.63(1)(a)1 |

4. Information for following summary provided by: Alleged Victim: Quiles, Joseph and Mena, Eloy
Other: _____
5. I believe the arrested person committed this offense(s) because: *Summarize below and/or*
documentation attached.

The alleged victim(s) did did not consent to the above listed offense(s):
On Thursday 02/21/2013 I, Deputy Scott Griffin (badge 907), was assigned in full duty uniform as Squad 58 in marked squad 150-423. I was acting in my official capacity as Law Enforcement Officer at the time of the incident.

On Wednesday 02/20/2013, Tanya H. Weyker (_____), was operating a 2004 four door Toyota Camry with the Wisconsin license plate 825-ECJ southbound on S. Howell Avenue in traffic lane one.

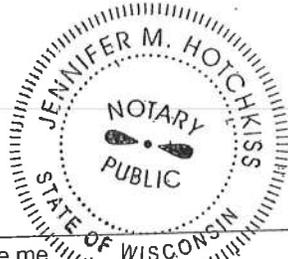
At approximately 2334 hours, Weyker (operating the Toyota) was involved in a motor vehicle crash with a fully marked Milwaukee County Sheriff's Office (MCSO) squad car. The crash occurred southbound on S. Howell Avenue north of W. Grange Avenue.

I responded to the scene and arrived at approximately 2347 hours. Multiple MCSO squads had responded along with multiple units from the City of Milwaukee Fire Department (MFD) and the City of Milwaukee Police Department (MPD).

I spoke with Weyker, who was still seated in the driver's seat of the Toyota and being tended to by members of the MFD. After a short conversation with Weyker, I noticed that her eyes were glassy and red, that her speech was slurred, and that she emitted the light odor of an alcoholic beverage from her breath. Weyker admitted to consuming one half of an alcoholic beverage and gave conflicting statements about when she last took prescription medication (including Percocet and Adderall).

At approximately 2356 hours, I arrested Weyker for Operating While Intoxicated. Weyker was transported to the Froedtert Hospital Emergency Room, 9200 W. Wisconsin Avenue in the City of Wauwatosa. A legal blood draw was obtained from Weyker and she was admitted to Froedtert Hospital due to injuries sustained in the crash.

Weyker's passenger, Eloy Mena (_____) sustained a lacerated spleen as a result of the crash and Deputy Joseph Quiles complained of shoulder and back pain as a result of the crash.



Subscribed and sworn to before me on February 21, 2013
Jennifer M. Hotchkiss
Notary Public, State of Wisconsin
My commission expires: 8-4-13

[Signature]
Signature of Officer
Deputy Scott Griffin
Name Printed or Typed
02/21/2013 0607 am pm
Date Time

Probable Cause Determination

I have reviewed the probable cause statement from the arresting officer. Based on this statement:
 1. I find probable cause to believe that the arrested person committed the offense(s) as listed above OR
 as follows: _____
 Bail is set as follows: _____
 2. I do not find sufficient probable cause to have been presented and direct that the arrested person be released from this custody. Reason(s) probable cause not found (optional): _____

Telephone Conference Call Determining Probable Cause
The initial probable cause was determined by a telephone conference call. The judge/commissioner instructed me to affix the decision, his/her signature, and date and time in the appropriate location, to be countersigned later by the judge/commissioner.
Officer's Signature _____

BY THE COURT:

Circuit Court Judge/Court Commissioner

Name Printed or Typed

Date _____ am pm
Time

Distribution: 1. Court-Original; 2. Sheriff; 3. Facility; 4. D.A.; 5. Arrested Person/Counsel