

On 10-08-11 at about 1325 hrs, I was dispatched a traffic hazard / suspicious incident at McDonalds 2428 Hwy 6 & 50. The reporting party, [REDACTED] advised a young female (possibly 12-13 years old) was driving a gold Lexus (Colorado license plate #856UEZ), the child was swerving and slamming on the brakes and acting like she did not know what she was doing. The car then pulled into the drive thru of McDonalds. While en route, dispatch advised that the car had already left the area and Mesa Mall security would be checking the area. I responded to the registered owner, Lori Rogers address, [REDACTED]

While at the Rogers' house (which there was no answer), dispatch advised that the car was back in the drive thru. I requested dispatch have Mall security respond back over to attempt to contact the vehicle since, I was up in Orchard Mesa. Mall security was able to contact the vehicle until Sgt. Baker's arrival. Upon my arrival, I observed the gold Lexus to be parked on the south side of McDonalds in the drive thru waiting parking spots. I also observed a small female child, identified as [REDACTED] (9 year old female) seated in the rear passenger seat and a 10 month old, identified as [REDACTED] in a car seat directly behind the drivers seat. A female, identified as Lori Rogers was seated in the drivers seat.

A McDonalds employee (identified by Officer Wood, see his report) came out of the restaurant and handed Rogers a meal and as the employee walked away she stated, "oh they changed seats." With this statement, I requested Officer Wood to obtain a statement from the employee and the Mall Security officer who observed [REDACTED] driving.

[REDACTED] contacted Rogers at which time she appeared lethargic [REDACTED] in viewing Rogers' eyes, her pupils were constricted and she was visibly shaking. Due to my training and experience as a drug recognition expert, I felt Rogers may be under the influence of drugs and/or alcohol and requested Rogers to perform voluntary roadside maneuvers. I instructed Rogers the roadblocks were voluntary and she could refuse to complete them. Rogers stated she understood and agreed to perform voluntary roadside maneuvers and stepped out of the vehicle. Rogers was having a difficult time following instructions and I had to explain them several times. Rogers stated she understood my instructions and did not have any further questions. Horizontal gaze nystagmus and vertical nystagmus were not present; but lack of convergence was present.

Rogers was placed into to the instruction stance for Romberg balance test. Rogers estimated 11 seconds for 30 seconds and displayed a 3-4 inch circular sway while balancing. Rogers also displayed eyelid and body tremors.

Rogers was placed into the instruction stance for walk and turn, she immediately started walking down the line and had to be old to stop and allow me to complete my instructions. Rogers was unable to maintain her balance and started walking two additional times prior to me completing the instructions and had to be placed back into the instruction stance. Rogers advised she understood the instructions and did not have any questions. Rogers took 5 very slow deliberate steps and then suddenly made a 90 degree turn and took 4 steps then another 90 degree turn and took 4 steps and then another 90 degree turn and 5 steps then another 90 degree turn took 2-3 steps and came to a stop advising she had completed the maneuver.

Rogers was placed into the instruction stance for one leg stand and stated she understood the instruction; but then asked how many seconds she needed to count. I started my instructions over and explained the entire maneuver to her again at which time she stated she understood. Rogers counted very fast and put her foot down on "11" twice and failed to continue after being told to continue.

Rogers was placed into the instruction stance for finger to nose and stated she understood the instruction and did not have any questions. Rogers used the pad of her finger for all attempts and missed the tip of her nose 5 of 6 attempts.

Rogers was placed into custody for the child abuse, reckless endangerment and permitting an unauthorized minor to drive. I also advised Rogers, I felt she was under the influence of drugs and/or alcohol and advised her of Colorado expressed consent since she was behind the wheel when I arrived on scene. [REDACTED]

During this time Sgt. Baker was contacting Rogers' mother, [REDACTED] to come and pick up [REDACTED] and [REDACTED]. [REDACTED] Sgt. Baker and I discussed options and decided Rogers could be suffering from a medical or mental disorder in which she needed to be evaluated and we were concerned for her safety and the safety of her children; thus it was determined Rogers would be cited for the child abuse and reckless endangerment to the children [REDACTED] (which Rogers agreed would be beneficial for her and her children).

While on scene, I was advised of a similar incident which occurred on 10-07-11 at about 1301 hrs (GJPD case #11-00048599), in which reporting party, [REDACTED] called stating a 9 year old female had told [REDACTED] she was "learning how to drive" and was driving in the area of Ace Hardware, 2140 Broadway. [REDACTED] admitted to driving the same car on 10-07-11 "in the Redlands at a gas station" and hitting a light pole (damage on the car observed, photographed by Ofc. Wood and booked into evidence).

The children were released into [REDACTED] custody and Rogers allowed [REDACTED] to take the house key from the keychain in order to go to the house to get the children clothes and food. Rogers requested her vehicle be secured in the McDonalds parking lot and the keys given to [REDACTED]

Rogers was transported to Grand Junction Police Department for further investigation in reference to the incident on 10-07-11. Once at the police department, Rogers was placed into the interview room across the hallway from the report room and her handcuffs removed. [REDACTED]

Rogers was issued a summons for the following:

- 42-2-139 Permitting an unauthorized minor to drive (2 counts, 1 count for 10-07-11 and 1 count for 10-08-11)
- 42-4-1409 Owner operated an uninsured vehicle (2 counts, 1 count for 10-07-11 and 1 count for 10-08-11)
- 18-6-401(7)b(I) Child Abuse (4 counts, 1 count for each child, each day 10-07-11 and 10-08-11)
- 18-3-208 Reckless endangerment (4 counts, 1 count for each child, each day 10-07-11 and 10-08-11)

also contacted the reporting party, [REDACTED] via phone, she advised the following. [REDACTED] and her daughter were stopped on Hwy 6 at Hwy 6 & 50 (north bound) in the left hand turn lane when her daughter made a comment about the young child driving in the turn lane next to them. [REDACTED] looked over and noticed how young [REDACTED] was and became immediately concerned. When the light turned green to turn west bound onto Hwy 6 & 50, (double turn lane) [REDACTED] began turning at which time [REDACTED] nearly struck [REDACTED] vehicle and then came into [REDACTED] lane. [REDACTED] continued west bound and "almost rear ended another car. She was slamming on her brakes and swerving. She and her mom were laughing about it."

also called the reporting party, [REDACTED] from incident 11-00048599, she made the following statements. On 10-07-11 at about 1220-1230 hrs [REDACTED] was at the Gofer Foods, 2146 Broadway during her lunch break when she observed a young girl (matching [REDACTED] description) in the store while the mother was at the gas pumps fueling the car. [REDACTED] advised [REDACTED] said, "I'm learning to drive." [REDACTED] found it a little strange; but as a newer resident to Colorado was not sure the exact laws on driving permits were. [REDACTED] asked [REDACTED] how old she was, [REDACTED] advised [REDACTED] she was 13 years old. [REDACTED] watched [REDACTED] go out to the car and drive out of the parking lot in an older gold 4 door sedan. [REDACTED] went back to work; but was still very concerned about the incident and decided to notify police. [REDACTED] described Rogers as being 5'3" to 5'4" with a thin build, long brown hair. [REDACTED] stated she could possibly pick Rogers out of a photo line up if necessary.

also contacted Gofer foods and requested surveillance from 10-07-11 and was advised I would need to talk to the manager, [REDACTED] on 10-10-11. I will contact [REDACTED] on 10-10-11 to obtain the surveillance.

also called the DHS pager for child protective services, I received the pager message and left my name and phone number requesting a phone call. As of the time of this report I still have not received a call back from them.

XC TO Department of Human Services



