

From: Jandl, Lauren <Lauren.Jandl@vermont.gov>

Sent: Thursday, February 8, 2024 3:04 PM

To: Schonfeld, O. <OSchonfeld@hearst.com>

Cc: Vath, Amelia <Amelia.Vath@vermont.gov>

Subject: RE: NBC5 News Request for Affidavit of Probable Cause in Eva Vekos DUI Test Refusal

Hi, Orrin,

In response to your request, attached is the affidavit of probable cause. The records have been redacted pursuant to the following statutory exception to Vermont's Public Records Act:

- 1 V.S.A. § 317(c)(5)(D) - A public agency shall not reveal information that could be used to facilitate the commission of a crime or the identity of a private individual who is a witness to or victim of a crime.
- 1 V.S.A. § 317(c)(7) - Personal documents relating to an individual, including information in any files maintained to hire, evaluate, promote, or discipline any employee of a public agency; information in any files relating to personal finances; medical or psychological facts concerning any individual or corporation; provided, however, that all information in personnel files of an individual employee of any public agency shall be made available to that individual employee or his or her designated representative.

To the extent you feel any records been withheld in error, you may appeal to the Deputy Attorney General, Robert McDougall at: ago.publicrecordsrequests@vermont.gov.

Best,

Lauren

Case #:24B5000457

Vermont State Police

DUI 1A AFFIDAVIT

STATE OF VERMONT

Addison County, S.S.

NOW COMES Sergeant Eden R. Neary, affiant, being duly sworn and on oath, deposes and say he has probable cause to believe that **Eva P. Vekos DOB: 11/18/1969**, has committed the offense of **Driving Under the Influence of Alcohol #1**, a violation of **Title 23 Vermont Statutes Annotated section 1201**.

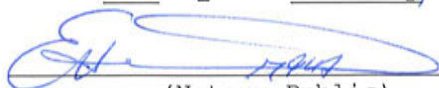
1. I am a law enforcement officer certified by the Vermont Criminal Justice Training Council. I am trained and certified by the Vermont Criminal Justice Training Council to operate the Datamaster infrared breath-testing instrument. I have been certified in the State of Vermont as a full-time law enforcement officer since May of 2010 and was previously part time certified since June of 2008. I received my initial DUI and Datamaster certification in May of 2009. I received my Advanced Roadside Impaired Driving Enforcement certification in April 2014. I received my Drug Recognition Expert (DRE) certification in October of 2017 and am currently certified as a DRE. I am currently a certified DUI instructor and have been since approximately June of 2021. I am currently employed by the Vermont State Police as a full time Patrol Commander (Sergeant) assigned to the Rutland Barracks and have been since January of 2018.
2. On January 25, 2024 at approximately 2052 hours, a 2019 Volkswagen Golf Alltrack bearing VT registration HLK924 drove (operation) to 748 Swinton Road in Bridport, VT, observed by Trooper Kelsey Dobson. Swinton Road is a public highway as defined in Title 23 VSA section 4. Trooper Dobson's supplemental affidavit is attached and incorporated by reference as if fully set forth herein. Trp. Dobson stated Vekos was the sole occupant and operator of the vehicle. While inside the residence at 748 Swinton Road in Bridport, Vekos displayed indicators of impairment observed by Detective Trooper Ryan Anthony. Det. Trp. Anthony's supplemental affidavit is attached and incorporated by reference as if full set forth herein. Det. Trp. Anthony detected an odor of intoxicants emanating from Vekos as well as slurred speech during his interaction with Vekos. At 2121 hours Trp. Dobson observed Vekos return to her vehicle and get into the driver's seat. At 2125 hours Trp. Dobson was approached by Det. Trp. Anthony who informed him he was going to be screening Vekos and Trp. Dobson activated his body worn camera.
3. Trp. Dobson and Det. Trp. Anthony approached Vekos, who was sitting in the driver's seat of the aforementioned vehicle, with it on (actual physical control), parked on Swinton Road (public highway). Det. Trp. Anthony asked Vekos how much alcohol she had consumed, she stated one gin and tonic with dinner, and stated she had a burger for dinner. Det. Trp. Anthony asked Vekos to perform Standardized Field Sobriety Tests(SFSTs). Vekos declined and asked Det. Trp. Anthony if he could have a friend come and get her. Vekos was asked again to perform SFSTs and declined. Det. Trp. Anthony informed her she was under arrest. Trp. Dobson handcuffed Vekos and transported her to the New Haven State Police Barracks.
4. I received a phone call from VSP Rutland Dispatch requesting I respond immediately to the New Haven Barracks at the request of Detective Lieutenant Christopher Barber, and that I

call him immediately. I called Lt. Barber who informed me Det. Trp. Anthony had just arrested Vekos for DUI and requested I respond. I responded to the New Haven Barracks to process Vekos.

5. At the New Haven Barracks, I went into the processing area and introduced myself to Vekos, who was in one of the holding cells, and requested her to come have a seat out in the processing area. Vekos informed me she was not taking any interview questions or taking any evidentiary tests. While speaking with Vekos, I detected a moderate odor of intoxicants emanating from her, her eyes were watery, and she had mumbled speech at times. I told her I was going to read her all the paperwork. Vekos asked me why I was sent and who made that decision. I told her I did not know who made the decision and informed her it also helped that I was one of the State DUI instructors. Vekos then asked me if I knew that discretion was allowed, and I informed her we as a Department do not take discretion with DUI. Vekos said there was no DUI, there was alcohol on the breath and alleged slurred speech. I informed her there were enough indicators to request an evidentiary test, which I told her she knew as the State's Attorney, and she said she disagreed. She then stated this was going to damage the relationship with her office which she has worked hard to build with law enforcement because Ryan doesn't know how to apply discretion and he didn't go to his supervisors. I told her I was not going to argue with her about it and that was a discussion for another day. Vekos told me she was not going to answer questions and I didn't need to read them to me, and I told her I needed to read her the whole thing. She told me she came out to participate in a homicide investigation just doing her job. I told her that's where her discretion could have been used and she asked in what way and I said if she knew she had a drink or two, the fact of the matter was there was enough indicators to ask for a test, she didn't do any tests on scene. Vekos responded a Judge will decide that and I told her that's true, but based on my training and experience there were enough indicators.
6. I read Vekos her Miranda warning. She said she was not answering any questions or making any comments. I read her implied consent. Vekos declined to speak to an attorney before deciding whether or not to submit to an evidentiary test. Vekos declined to take the evidentiary test. The DMT Datamaster was run, and a refusal ticket was printed. I accidentally clicked on VSP Royalton as my station instead of VSP Rutland on the DMT Datamaster. Vekos declined to do fingerprints or photographs. Vekos was issued a civil suspension 240 form as well as a citation to appear in court at a later date. Vekos requested I take photographs of her wrists as she had marks from the handcuffs.
7. I request the Court order Vekos to come to the New Haven Barracks for fingerprints and photographs as part of her conditions of release.

Subscribed and Sworn to before me on

this 29 day of January, 2024



(Notary Public) - *exempt as LE related employee*



(Affiant)

January 29, 2024
(DATE)

CASE# 2405000457

NOW COMES Sgt Eden R. Neary, affiant, being duly sworn and on oath, deposes and states that I have probable cause to believe that Eva P. VeKos DOB 11/18/69, hereinafter referred to as operator and defendant, committed the offense of Driving Under the Influence in violation of 23 V.S.A. § 1201. In support of this charge the affiant states:

- 1. I am a law enforcement officer certified by the Vermont Criminal Justice Training Council. I am trained and certified by the Vermont Criminal Justice Training Council to operate the DMT infrared breath-testing instrument.
- 2. On 01/25/2024 at 2052 hours, the defendant was operating/attempting to operate/in actual physical control, of a (year/make/model) 2019 Volkswagen Golf, bearing registration HLK924 on a public highway known as Swinton Road in the town/city of Bridport in the county of Addison in the State of Vermont.
- 3. A. My observations of the defendant's operation that resulted in my making this stop are documented on **Page 1-A**.

OR B. Although I did not observe operation in this case, I was able to determine that the defendant operated the above described vehicle at 2052 hours based upon the evidence presented on **Page 1-A** of this affidavit. (If officer did NOT observe the driving, submit with case statements from witnesses establishing that this accused drove the vehicle, the approximate TIME, and the public highway.)

4. OBSERVATION OF OPERATOR

- Odor of intoxicants Strong Moderate Faint None
- Eyes Watery Bloodshot Normal
- Speech Unintelligible Mumbled Slurred Confused Normal

- 1. Have you consumed any alcoholic beverages? No Yes: How many? _____
- 2. What time was your first drink? _____
- 3. What time was your last drink? _____
- 4. How much, if anything, have you had to drink in the last 30 minutes? _____
- 5. Have you consumed any drugs or medications? No Yes: What? _____
- 6. Other observations (e.g. alphabet, counting, etc.): _____
- 7. Difficulty getting out of vehicle? No Yes: Describe: _____

IF OFFICER DID NOT OBSERVE THE OPERATION (Whether crash or not) ASK:
 Did you drink any alcoholic beverages after driving? No / Yes: How many? _____
 How much did you drink in the 30 minutes before you stopped driving? _____

See Attached Supplemental Affidavits

- Standing Falling Extreme Sway Slight Sway Unsteady Steady
- Walking Falling Stumbling Unsteady Steady
- Alcoholic containers in vehicle? No Yes # _____
- Types: _____ Full Empty None

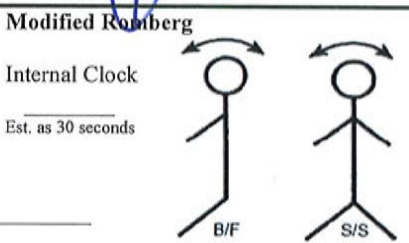
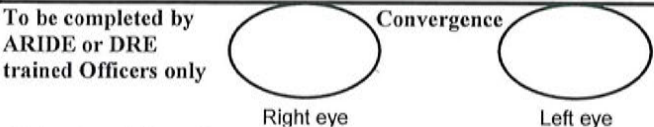
5. STANDARDIZED FIELD SOBRIETY TESTS

Is there any reason that the operator cannot perform these exercises? No Yes: Explanation (e.g. roadway, health, etc.): _____

	L. EYE	R. EYE	
HGN	<input type="checkbox"/> Lack of smooth pursuit	<input type="checkbox"/>	Total Clues
	<input type="checkbox"/> Distinct jerkiness at maximum deviation	<input type="checkbox"/>	
	<input type="checkbox"/> Onset of distinct jerkiness prior to 45°	<input type="checkbox"/>	
Walk	<input type="checkbox"/> Can't balance during instructions	<input type="checkbox"/> Starts before instructed	<input type="checkbox"/> Incorrect number of steps
& Turn	<input type="checkbox"/> Stops walking to steady self	<input type="checkbox"/> Does not touch heel to toe	<input type="checkbox"/> Cannot do exercise
	<input type="checkbox"/> Loses balance/steps off line	<input type="checkbox"/> Uses arms for balance	(steps off line 3 times)
One	<input type="checkbox"/> Loses balance while turning/turns incorrectly		Total Clues
Leg	<input type="checkbox"/> Sways while balancing	<input type="checkbox"/> Hopping	
Stand	<input type="checkbox"/> Cannot do exercise (puts foot down 3 times)	<input type="checkbox"/> Puts foot down	
	<input type="checkbox"/> Uses arms to balance (raises arms more than 6 inches)		Total Clues

Refused

Comments (e.g. shoes, etc.): _____



Officer's opinion of Impairment None Slight Moderate Substantial Extreme

PBT Result Refused BAC at _____ Hrs. Model: _____ Serial # _____

TIME OBSERVATION OF OPERATOR STARTED: 2224 Hrs. Timepiece used: Dept Cell Phone

6. BEFORE WE GO ANY FURTHER I WANT TO EXPLAIN THESE RIGHTS TO YOU: (Check as read.)

- Checkboxes for rights: You have the right to remain silent, Anything you say can and will be used against you in a court of law, You have the right to talk to a lawyer before questioning and to have a lawyer present with you during questioning, If you cannot afford to hire a lawyer, one will be appointed to represent you at public expense, before any questioning, if you wish. In Vermont, that is called a public defender, If you decide to answer questions, you may stop the questioning at any time, Do you understand each of these rights I have explained to you? Reply: Yes No, Do you want to talk to me now? Reply: Yes No

If answer is "NO," OFFICER SHOULD STOP, and say the following:

There will be no questions. I will now go to the subject of evidentiary testing." (OFFICER SHOULD GO IMMEDIATELY TO No. 8 "IMPLIED CONSENT" on page 3).

If answer is "YES," OFFICER SHOULD READ THE WAIVER to defendant and ask if she/he wishes to sign, as follows: WAIVER

I have been advised that I have the right to remain silent, to be represented by a lawyer, to talk with one prior to questioning and to have one present during questioning. Knowing my rights, I agree to waive them and talk to you now. No threats or promises have been made to me.

Date/Time (Specify timepiece used) Operator's Signature (or time of taping) Comments:

If defendant declines the waiver or requests a lawyer, OFFICER SHOULD STOP, and say the following:

"In that event, you are hereby notified that I will not ask you any questions. We will now go to the subject of evidentiary testing. After that, you will have an opportunity to talk with a lawyer before making your decision whether to take or refuse the test." (OFFICER SHOULD GO IMMEDIATELY TO No. 8. "IMPLIED CONSENT" on page 3).

7. INTERVIEW

Where were you driving to? Where were you driving from (this time)? How long ago did you drive from that location? What food have you eaten in the last six hours? How long ago did you eat that? What have you been drinking? Beer Liquor Wine - Specific type (brand/name of drink) How many drinks of each kind did you have? What time did you start drinking? What time did you stop drinking? How much if anything did you drink in the 30 minutes before you stopped driving? Who were you drinking with? (obtain names) Where (specific location) were you drinking? How much do you weigh? Are your tired? No Yes Are you ill? No Yes, if so describe: Do you have any physical handicaps? No Yes, if so describe: Do you limp? No Yes Do you have diabetes? No Yes Taking insulin? No Yes Do you have epilepsy? No Yes Have you been injured lately? No Yes, if so describe: Do you wear glasses? No Yes Do you wear contact lenses? No Yes In the last 24 hours have you taken any medications or drugs? No Yes Were the drugs/medications affecting your driving? No Slightly Moderately Substantially Please describe what drug/medication and the dosage/amount consumed? Are you under the influence of drugs right now? No Slightly Moderately Substantially Are you under the influence of alcohol now? No Slightly Moderately Substantially Were you under the influence of drugs while driving the vehicle? No Slightly Moderately Substantially Were you under the influence of alcohol while driving the vehicle? No Slightly Moderately Substantially Were you feeling the effects of the alcohol while driving the vehicle? No Slightly Moderately Substantially Were you feeling the effects of the drug(s) while driving the vehicle? No Slightly Moderately Substantially Have you been convicted of Driving Under the Influence in VT or any other State? No Yes If YES, where and when?

Are you currently on Probation? No Yes Are you currently on Conditions of Release? No Yes

OTHER QUESTIONS/ANSWERS (Re: DUI or any OTHER OFFENSES involved) use supplemental page.

9. READ THE APPROPRIATE ALTERNATIVE TO OPERATOR

A. If operator is being released on their own or to a sober adult: Since you are being released, if you wish additional tests, to be paid for at your own expense, you will have to make your own arrangements. Do you intend to obtain additional tests? Yes No Test Kit Provided Yes No

If, at the completion of processing, the operator, after reasonable efforts, is unable to arrange transportation necessary to obtain an additional test and the operator wants a test, the officer must arrange to provide transportation to a facility that will administer the test.

B. If operator is being taken to detox or held for an extended period of time: Because you are being detained for a short period prior to being released, I will make arrangements for you to have an additional test, at your expense, if you so desire. Do you want me to transport you to obtain an additional test? Yes No Test Kit Provided Yes No Arrangements: _____

C. If operator is being lodged: Because you are being lodged, you must tell me now if you want an additional test, at your expense, so that I can make the arrangements. Do you want me to transport you to obtain an additional test? Yes No

10. STATUS OF OPERATOR:

Inquired as to the operator's current address and informed him/her that information is required for future mailings

Mailing Address 390 Blake Key Rd Middlebury VT 05753 Residential Address Same

Is operator on active duty, or scheduled to go on active duty, in the Armed Forces? Yes No – If yes, Command Unit, Service Branch, and Service # _____

Operator identified by License Other I.D. Picture I.D.
 Citation Lodged Released without Citation Complaint # _____ Other _____

11. DISCLOSURE OF EVIDENCE:

A. OFFICER'S OBSERVATIONS OF OPERATOR

Attitude Excited Talkative Indifferent Profane Combative
 Insulting Cocky Cooperative Polite Mood Swings

Other: _____
Unusual Actions: Hiccapping Belching Vomiting Fighting Laughing

B. MOTOR VEHICLE RECORD & DUI CONVICTIONS

The DMV RECORD of Operator is attached and incorporated by reference as if fully set forth herein.

Record discloses prior DUI Convictions: No Yes: dates of prior DUI conviction(s): _____

C. RECORDING: Is there a separate audiotape? Yes No

Video: Cruiser Yes No DUI Processing Room Yes No Other: Other video

D. WITNESSES (Passengers / other persons)

Name: _____ Address: _____
Phone # _____ Passenger Other Describe Condition: _____

Statement obtained: Yes No
 Other witnesses listed on separate page

12. DISPOSITION:

Operator released to: Name/Address: _____ Phone #: _____

OR - Operator taken to: _____ Phone #: _____

Acknowledged operator is impaired No Yes: Slight Extreme Other: Stated to him she cannot drive

Signature: _____

Date & Time processing completed: 01/25/24 2306 per timepiece.

Disposition of operator's vehicle: Towed by [redacted] Condition of operator's vehicle: Fine

VIN of operator's vehicle: 3UWH17AM1KMS3

Name of Registered Owner(s): Eva P. Kekos Address: _____

Being duly sworn and on oath, I hereby certify that the information contained in this form has been accurately recorded and accurately describes my observations of the actions and statements of the operator identified on page one.

Signature

Date 1/29/24

Subscribed and sworn before me this 29 day of January 2024

Notary Public [Signature]
exempt as CE related employee



DUI SUBJECT TEST

STATE OF VERMONT

DataMaster DMT: 123306
Location: NEW HAVEN VSP
Certification Date: 03/05/2020
Installation Date: 03/10/2020

Date: 01/25/2024
Time: 22:49:06

SUBJECT NAME:
EVA P VEKOS
DOB: 11/18/1969 AGE: 54
GENDER: F
LICENSE #: [REDACTED] VT

CASE #: 24B5000457
TIME OF INCIDENT: 20:52
LOCATION OF INCIDENT:
748 SWINTON ROAD
TOWN: BRIDPORT
COUNTY: ADDISON

TEST OFFICER NAME:
EDEN R NEARY
AGENCY: ROYALTON VSP

Obs. Period Start: 22:34

BLANK TEST	0.000	22:50
CALIBRATION CHECK	PASSED	22:50
SIMULATOR VAPOR 34.0°C	0.097	22:50
BLANK TEST	0.000	22:51
SUBJECT SAMPLE	REFUSED	22:51

Subject refused.
Reason: refused

All alcohol values reported in g/210L
Sim. Vapor Concentration 0.098
Sim. Vapor Range 0.093 - 0.103
Lot #: 22-14-100



SUPPLEMENTAL AFFIDAVIT

Now comes, Detective Sergeant Steven Gelder, affiant, being duly sworn and on oath, deposes and states:

1. On 01/25/2024, at approx. 2040 hrs, I, Detective Sergeant Steven Gelder, was at residence 748 Swinton Rd, Bridport, VT, due to an ongoing police investigation regarding a suspicious death. A short time later, Addison County State's Attorney Eva Vekos arrived. I observed Eva Vekos park her vehicle on Swinton Rd in front of the residence. I observed she was the sole occupant of said vehicle. The purpose of this encounter was for Eva Vekos to walk through the residence with members of the VSP Crime Scene Search Team (CSST) as well as detectives assigned to the VSP Bureau of Criminal Investigations (BCI) who were investigating the death.
2. Shortly after Eva Vekos arrived, we were provided material to cover our shoes prior to entering the residence. Upon entering the home, members of CSST explained measures they took documenting the home's interior. We then proceeded to the rear bedroom of the home and gathered within the bedroom while standing near the doorway. Eva Vekos stood to my left; the bedroom door was to my right. During this time, Eva Vekos bumped into my left side. I believed she was simply trying to see the scene better, however, at this time I also detected a strong odor of intoxicants emanating from her. Eva Vekos initially had a large grey colored scarf covering her mouth, however, while she stood in the room, the scarf moved away from her mouth. I again detected the strong odor of intoxicants emanating from her.
3. Detective Tpr Ryan Anthony then requested to speak with me at which time I spoke with Det Tpr Anthony and Tpr Robert Lemnah in the living room of the home. In conversation, Det Tpr Anthony and Tpr Lemnah both advised they smelled intoxicants emanating from Eva Vekos. I informed them that I also agreed and that I would inform Detective Lieutenant Chris Barber of the concern.
4. Shortly after I informed Det Lt Barber, I departed the residence and spoke with the resident at the neighboring home regarding the death investigation. When I returned to the scene, I was informed by Det Tpr Anthony that Eva Vekos declined the Standardized Field Sobriety Test (SFST) and that she would be transported to VSP New Haven for processing.
5. This concluded my involvement regarding Eva Vekos.

Subscribed and sworn to before me on

this 26 day of January, 2024

A. Szary
(Notary Public)

[Signature]
(Affiant)

1/26/2024
(Date)



SUPPLEMENTAL AFFIDAVIT OF TROOPER MENGBEI WANG
VERMONT STATE POLICE
STATE OF VERMONT
ADDISON COUNTY, ss.
CASE#: 24B5000457



NOW COMES Detective Trooper Mengbei Wang, Affiant, being duly sworn and on oath, deposes and says, in reference to case 24B5000457.

1. I am a full-time, level III law enforcement officer, having been certified by the Vermont Criminal Justice Training Council in August of 2021. I am currently assigned as a Detective Trooper at the Royalton Barracks.
2. On 01/25/2024, at approximately 2040 hours, I was on scene at 748 Swinton Rd, in the town of Bridport, Vermont, as part of an investigation into a suspicious death. I was on scene as a member of the Vermont State Police Crime Scene Search Team.
3. While on scene, Addison County State's Attorney, later learned her name was Eva Vekos (DOB: 11/18/1969), arrived on scene to do a walkthrough of the scene along with the investigating detectives from the Vermont State Police.
4. While inside the aforementioned residence, I stood next to her, I noticed a strong odor of intoxicants emanating from Vekos' person. I also noticed Vekos pulling her thick scarf over her mouth and nose while she was inside of the house. I also noticed Veko's slurring her speech as she was on scene and asking questions.
5. I immediately notified Detective Trooper Ryan Anthony of what I've noticed. This concludes my involvement in this case.

Subscribed and sworn to before me on

this 29 day of Jan, 2024

[Signature]
 (Notary Public)

[Signature]
 (Affiant)
01/29/2024
 (Date)

AFFIDAVIT
Addison County, S.S.

NOW COMES Trooper Kelsey Dobson, Affiant, being duly sworn and on oath, deposes and states:

1. I am a full-time law enforcement officer employed by the Vermont State Police, New Haven Barracks, and certified by the Vermont Criminal Justice Training Council.
2. On 1/25/2024 at approximately 2052 hours, I was acting as scene security at 748 Swinton Road, in the Town of Bridport. At that time, a 2019 Volkswagen Golf Alltrack bearing Vermont registration number HLK924 arrived. From previous interactions, I identified the operator as Eva Vekos (DOB: 11/18/1969). Vekos was the sole occupant. I noted Vekos's arrival to the scene in the Crime Scene Security Log.
3. At approximately 2121 hours, I saw Vekos return to her vehicle and get into the driver's seat. I noted her scene departure time in the Crime Scene Security Log.
4. At approximately 2125 hours, Detective Trooper Ryan Anthony approached me, and informed me he was going to screen Vekos for DUI. I activated my body camera and followed Anthony to Vekos's vehicle.
5. While speaking with Detective Trooper Anthony, Vekos admitted to having had a drink with her dinner. When Detective Trooper Anthony asked her to step out of her vehicle to perform Standardized Field Sobriety Tests, Vekos refused. Vekos became upset and argumentative with Detective Trooper Anthony.
6. Detective Trooper Anthony ordered Vekos out of her vehicle and placed her under arrest for suspicion of DUI. At that time, I was the only uniformed Trooper on scene, I placed Vekos in handcuffs, searched Vekos, and placed Vekos in the back of my marked cruiser. While interacting with Vekos, I detected the odor of intoxicants emanating from her person.
7. I transported Vekos to the New Haven Barracks. While en route Vekos asked multiple times for her hands to be cuffed in front of her body. Vekos speech was slurred and slow. During one of these requests, Vekos seemed confused and mistook me for Detective Trooper Anthony.
8. At approximately 2157 hours, I arrived at the New Haven Barracks. While taking Vekos out of my cruiser, I detected a strong odor of intoxicants emanating from her person. Vekos appeared unstable on her feet while exiting my cruiser and walking to the processing room.

Subscribed and sworn before me on 1/29/2024.



Affiant



Notary Public

Case # 24B5000457

SUPPLEMENTAL AFFIDAVIT

Addison County, S.S.

Now comes Detective Trooper Ryan Anthony, Affiant, being duly sworn and on oath, deposes and says:

1. I, Trooper Ryan Anthony, am a full-time officer employed by the Vermont State Police, Criminal Division, New Haven Barracks, certified by the Vermont Criminal Justice Training Council since 2020.
2. On 01/25/24 at approximately 2040 hours I was at the scene of an ongoing suspicious death investigation at 748 Swinton Rd. in the Town of Bridport. (Ref. Case #24B5000446). It should be noted Swinton Rd. at the time was a public highway that was open to the general circulation of motor vehicle traffic with a way laid out under authority of law.
3. While I was on scene, at approximately 2052 hours, the Addison County State's Attorney, Eva Vekos (DOB 11/18/69), arrived on scene in her vehicle which was later identified as a 2019 Volkswagen Golf bearing VT registration HLK924. I knew Vekos was present at the scene to participate in a walk through of the scene with members of the Vermont State Police Crime Scene Search Team who were also on scene.
4. Upon Vekos's arrival I walked beside her, and I recognized an odor of intoxicants emanating from her person. As I continued beside her during the walk through of the scene the odor of intoxicants persisted.
5. I notified Detective Sergeant Steve Gelder and spoke to Lieutenant Detective Chris Barber and the decision was made that I would ask Vekos to undergo the Standardized Field Sobriety Tests (SFSTs) prior to her leaving the scene in the above vehicle.
6. As Vekos sat in the driver's seat of the aforementioned vehicle with the vehicle on, I asked her how much alcohol she had consumed that evening. Vekos told me she had one (1) Gin & Tonic with a burger approximately an hour ago. It should be noted Vekos had been on scene for approximately 30 minutes at the time of me asking.
7. While speaking with Vekos, I recognized a strong odor of intoxicants emanating from her person and I recognized that she had slurred speech. Based on the above, I requested Vekos to undergo SFSTs and she refused.

8. Vekos asked me, "Are you serious Ryan, can't you just have a friend come and get me". I told Vekos that was not an option and asked her to undergo SFSTs or she would be placed under arrest. Vekos replied to me by stating, "It doesn't matter if I do the tests or not, however I perform, you're going to take me under arrest".
9. I told Vekos that was not true and again asked her to undergo SFSTs. Vekos refused, stepped out of the vehicle told me to take her under arrest. Vekos was taken into custody without incident and transported to the New Haven Barracks for processing by Sergeant Eden Neary.

Subscribed and sworn to before me on

This 27th day of January, 2024


Notary Public


Affiant

1/27/24
Date



SUPPLEMENTAL AFFIDAVIT
STATE OF VERMONT
Addison County, S.S.

NOW COMES Detective Lieutenant Christopher Barber, affiant, being duly sworn and on oath, deposes and states:

On 1-25-2024 I was investigating a suspicious death that had occurred in the town of Bridport. As part of this investigation, the Vermont State Police Crime Scene Search team was activated and responded to 748 Swinton Road in the town of Bridport. 748 Swinton Road is the residence where the suspicious death had occurred.

At 2008 hours I contacted Addison County State's Attorney Eva Vekos telephonically and asked her if she was able to meet myself and other detectives at the above address. Vekos advised that she would be able to meet us and requested the address which I provided to her.

At approximately 2050 hours SA Vekos arrived on scene and was the sole operator of her vehicle. SA Vekos was logged into the crime scene and met with Vermont State Police Captain Dunlop and I.

The purpose of this meeting was to conduct a walk-through of the scene to get a perspective of the residence and view any potential evidence.

While in proximity to SA Vekos, I detected a distinct odor of intoxicants emanating from her. This was particularly evident during close interactions and discussions with SA Vekos and I while inside the residence.

While on scene Det. Sergeant Steven Gelder redirected my attention and advised me that he could smell an odor of intoxicants emitting from SA Vekos. After speaking with Det. Sgt. Gelder I met with members of the Crime Scene Search Team in the kitchen of the residence. Both Trooper Lemnah and Det. Trooper Anthony informed me that they had concerns regarding SA Vekos, and that they could smell alcohol on her.

Shortly after SA Vekos, VSP Captain Dunlop and I exited the residence. SA Vekos then walked to her vehicle at which time Trooper Lemnah stressed his concern regarding her level of intoxication.

I then directed Det. Trooper Anthony to speak with SA Vekos. During this interaction Det. Trooper Anthony advised that SA Vekos refused to participate in field sobriety

exercises. SA Vekos was subsequently taken into custody and transported back to the New Haven State Police barracks.

Shortly after I left the scene and traveled to the New Haven State Police barracks. Once at the barracks I met with Sergeant Eden Neary who completed the processing of SA Vekos.

Subscribed and sworn to before me on
This 29th day of September, 2024
[Signature] Affiant
[Signature] 1-29-24
Notary Public Date



**VERMONT STATE POLICE
SUPPLEMENTAL AFFIDAVIT**

**Case#24B5000457
State of Vermont
Addison County**


Now comes **Trooper Robert Lemnah, Affiant**, being duly sworn and on oath, deposes and says, in reference to case 24B5000457,

- 1) I, Trooper Robert Lemnah, am a full-time officer employed by the Vermont State Police. I have been certified by the Vermont Criminal Justice Training Council since 2020.
- 2) On 1/25/24 at approximately 2040 hours, I was on scene at 748 Swinton Road in Bridport as part of an investigation into a suspicious death. Swinton Road is a public highway as defined by Title 23. I was on scene as a member of the Vermont State Police's Crime Scene Search Team.
- 3) While on scene, I witnessed VT-HLK924 arrive on scene and park behind the Crime Scene Search Team command post vehicle. I learned the operator was Eva Vekos (DOB 11/18/69), the States Attorney of Addison County. Vekos arrived on scene to do a walkthrough of the crime scene with the investigating detectives.
- 4) Once inside the residence I noticed an odor of intoxicants coming from Vekos. It should be noted that inside the residence had a strong odor of cigarettes. The odor of intoxicants could be detected over the cigarette odors inside the house. I noticed Vekos repeatedly pulling her thick scarf over her mouth and nose while she was inside the house. I also noticed Vekos slurring her speech as she was on scene and asking questions.
- 5) When the walkthrough of the scene ended we left the residence and Vekos entered the driver's seat of her vehicle. Lt Barber told me to speak with Vekos to prevent her from driving off. I approached the driver's window and told Vekos I had a question for her. I then asked her how much she had to drink this evening. Vekos did not immediately respond and I advised her we had concerns after being inside the scene with her. Vekos that stated she had one drink about an hour prior. I advised her to stay in her vehicle and a Trooper would be with her in a minute to continue speaking with her.

- 6) I was then advised to get Det Trooper Ryan Anthony and have him attempt to screen Vekos. I observed Det Anthony at Vekos's driver's window with Trooper Dobson. I observed Det Trooper Anthony's interaction with Vekos, but could not hear their conversations.

Subscribed and sworn to before me on

This 27 day of January, 2024.



(Notary Public)



Affiant

1/27/24

Date