OFFICE OF ADJUDICATIONS

IN THE MATTER OF :SUSPENSION OF SAFE
BOATING CERTIFICATE

DEP # 06-002

JOHN T. SADLER : AUGUST 4, 2006

FINAL DECISION

A hearing was held on August 1, 2006 at the DEP Marine Headquarters in Old Lyme regarding the suspension of the boating certificate of John T. Sadler. General Statutes §15-140q. Present were: Mr. Sadler, Petty Officer Nathaniel Millette of the US Coast Guard; Sergeant William Wagner of the City of Groton Police Marine Unit and Eleanor Mariani and Kathryn Keenan of the DEP Boating Division. Observing was James Malcolm of the DEP Office of Adjudications.

On July 8, 2006, Sgt. Wagner stopped a vessel underway without running lights being displayed. Mr. Sadler, who was operating the vessel, was subsequently arrested for boating while intoxicated. §15-133(d). A Notice of Suspension was mailed to Sadler on July 18, 2006, advising him of the effective date of suspension and his right to a hearing prior to that date to determine probable cause for said suspension. §15-140q(g).

FINDINGS OF FACT

After a hearing limited to a determination of the following issues, I find as follows. §15-140q(g).

- (1) There was probable cause to arrest Mr. Sadler for operating a vessel while under the influence of intoxicating liquor.
- (2) Mr. Sadler was placed under arrest.
- (3) The results of two timely breath tests indicated that at the time of operation, Mr. Sadler had an elevated blood alcohol content.
- (4) Mr. Sadler was operating the vessel.

CONCLUSION AND ORDER

There is probable cause to suspend the Connecticut Safe Boating Certificate of John T. Sadler and it is hereby ORDERED suspended for a period of not more than *ninety* (90) days, effective August 13, 2006 through November 11, 2006.

Entered as a final order of the Commissioner of Environmental Protection by:

/s/ J Deshais	
Janice B. Deshais, Hearing Officer	

PARTY LIST

Final Decision in the matter of John T. Sadler, Ref. #06-002 (Suspension of Safe Boating Certificate)

<u>PARTY</u> <u>REPRESENTED BY</u>

John T. Sadler

16 Lakeside Lane

Bolton, CT 06043-7300

Sergeant William Wagner

Self

City of Groton Police Marine Unit 295 Meridian Street Groton, CT 06340

PettyOfficer Nathaniel Millette (MK3)

United States Coast Guard 100 Bowditch Street New London, CT 06320

DEP Boating Division Eleanor Mariani 333 Ferry Road Kathryn Keenan

Old Lyme, CT 06371 (Via facsimile)