

# Listerine Story Falls Flat, Driver Charged

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October 20 2021 2:57 PM



EDWARDSVILLE - A Glen Carbon man was charged with aggravated driving while intoxicated after he claimed the smell emanating from his car was from Listerine mouthwash.

Samuel J. Evans, 37, of the 200 block of North Meridian Road, was charged with felony driving under the influence. The case was charged as a felony because Evans has two previous similar convictions. Bail was set at \$50,000.

A police officer approached a car Evans was driving on Oct. 18 at the MotoMart, 1 Club Centre Drive, and noticed a strong smell of alcohol.

According to a court document, Evans “admitted to drinking Listerine.” An officer claims in a sworn statement that there was a Listerine bottle containing alcohol on the passenger seat of the 2005 Toyota Camry Evans was driving.

“Evans appeared heavily intoxicated and was asked to step out of the vehicle. Evans was unsteady on his feet and rested against his vehicle for balance,” the affidavit stated.

Evans allegedly failed a field sobriety test and registered a blood-alcohol level of 0.28 percent, more than three times the level for a legal presumption of intoxication, on a portable breath-analysis test.

He was arrested and taken to the Edwardsville Police Department, where he refused to take a blood-alcohol test. The portable test is not considered as evidence.

The details of the event were recorded in a sworn statement in support of a suit to take possession of Evans’ car. Such action is allowed under Illinois law. The sworn statement was made public Tuesday.

The case arose from a call at 2:15 a.m. Oct. 18, when a MotoMart store clerk called to complain of a man who was stumbling about the store and slurring his speech. Police arrived and spotted the suspect enter the car and start to back out.