



[00:00:02] Lucas: Howdy?

[00:00:02] Justin: Hello.

[00:00:05] Lucas: Do You know why I stopped you?

[00:00:06] Justin: No. Who are you?

[00:00:07] Lucas: Lucas Krieger Rathdram, police department. Um, first of all, when I came around the corner here you were kinda stopped in the middle of the road and then it looked like you turned your lights off when you were backing up. When you backed up into here you didn't have any lights on, at least not your rear views, um, the aah parking or break lights weren't lighting up at all.

[00:00:28] Justin: Okay

[00:00:29] Lucas: So that's why I stopped you also you had a citizen complaint about some behavior earlier, do you know anything about that?

[00:00:35] Justin: No.

[00:00:37] Lucas: Okay, all right we can sort all that out. Do you have a drivers license registration and insurance? Hey, Justin where are you going to?

[00:00:46] Justin: Uh, my house.

[00:00:48] Lucas: Up on, uh, Hidden Valley?

[00:00:49] Justin: Yeah.

[00:00:50] Lucas: Okay. What brought you up this way? Cause you're heading up Greensferry which is kind of away from your house.

[00:01:00] Justin: What's this citizen complained about me exactly?

[00:01:03] Lucas: Uh, he said there was some kind of- and like- he told me that you were doing something about arguing with his daughter and making comments about his daughter.

[00:01:13] Justin: Who's he?

[00:01:15] Lucas: Well, I'm still getting all of that together so right now all I've done is told that that's what happened nothing further than that has happened at this point. Again, the only reason I stopped you is because I observed you in the middle of the roadway stopped. Uh, and--

[00:01:27] Justin: Well, I wasn't doing that, so.

[00:01:29] Lucas: Okay, then I can sort all that out. So that's what I'm here for.



[00:01:32] Justin: You got your video camera on?

[00:01:33] Lucas: I do, yeah I have em on every time I stop someone. so-

[00:01:36] Justin: So you didn't video tape me stopped for why'd you pulled me over?

[00:01:42] Lucas: Well, once I activated my overhead lights my dash cam turned on at that point-

[00:01:47] Justin: So, no.

[00:01:49] Lucas: So no. I don't have you videotaped stopped in the middle of the roadway.

[00:01:52] Justin: Okay.

[00:01:52] Lucas: So, uh, Justin how much have you had to drink tonight?

[00:01:55] Justin: Nothing.

[00:01:57] Lucas: Nothing?

[00:01:57] Justin: No.

[00:01:58] Lucas: Are you sure about that?

[00:01:59] Justin: I am. Are you sure you saw me stopped here?

[00:02:02] Lucas: I did. Cause when I pulled you over you were actually going this way, but you first were going that way so you had to turn around but you stopped in the middle of the road first. And then you had-- you started backing up down the road. Remember that when you turned over there?

[00:02:16] Justin: And you turned your lights on then?

[00:02:17] Lucas: Well, that's when I pulled in behind you and-and activated my lights at that point cause that's when I observed the crime occur. So, that's how you turned around cause you had to turn around right?

[00:02:30] Justin: Well, if you were behind me, why are you asking me if that's right?

[00:02:33] Lucas: I'm just asking you because you're, you're saying that it didn't occur. So I'm just saying that you had to turn around--

[00:02:39] Justin: How did I turn around in the middle of the road?

[00:02:40] Lucas: No, you stopped in the middle of the road and you started backing up to turn back into that spot back there. Instead of just pulling in there forward you backed into it.

[00:02:49] Justin: So that's illegal? Making a three point turn is illegal?

[00:02:52] Lucas: If you had just drove straight in, that would be totally legal but stopped in the middle of the road and backing down the road, especially when your lights go off. You were completely dark when I saw you. That-- at that point you become a-a hazard to the roadway.

[00:03:03] Justin: And you got that on video?

[00:03:05] Lucas: That part I do not have on video cause then I activated my overhead lights once I witnessed the crime so-

[00:03:11] Justin: Right. so you're just lying about what's going on right now. Why you pulled me over.

[00:03:14] Lucas: No.

[00:03:15] Justin: Great.

[00:03:17] Lucas: Alright Justin sit tight for me I'll be right back with you.

[00:03:26] Justin: [inaudible 00:03:25].

[00:03:29] Lucas: I'm gonna be back with you in just a minute, okay? Post Falls 4008. Can you send me a second unit? Post for 4008, I also have one to run through you. Holding at her last of NAGEL, that's Norah Adam George Edward Lincoln first of Justin common middle P Patrick 050878. Go ahead. Uh, have county respond non-code. [silence]

[00:05:11] Dispatcher: 4008.

[00:05:16] Lucas: Traffic for 48, on two roger.

[00:05:19] Dispatcher: Confirm last name Nagel is valid through Idaho, with a restriction license, he is clearance [unintelligible 00:05:24].

[00:05:34] Lucas: Copy Post Falls, you're pretty broken, did you say he did have the alerts?

[00:05:39] Dispatcher: Affirm he has an alert code for resisting.

[00:05:48] Lucas: Copy.

[radio chatter]

[00:06:38] Lucas: Hey Justin, I didn't get a clear look at this when I was up here but this insurance isn't effective until January 5th. Do you know if you have another card in the vehicle?

[00:07:31] Justin: I guess my answer is no.

[00:07:32] Lucas: Okay, all right, I'll see what I can find in my computer. I'll be right back.

[00:07:36] Justin: Okay.

[radio chatter]

[typing]

[automated voices]

[00:09:14] Lucas: 96 Ford. One.

[automated voices] One Frank Mary. [typing] Ford VLA, 10623, [sighs]. [silence]

[00:10:51] Lucas: Give me 568. [typing sounds] One, Frank Mary Edward, Union 18W. Four, Victor Lincoln, 623. Violation, insurance [sighs], [typing], 1517, 1518.

[automated voices]

[00:13:44] Lucas: I'm gonna run him through [unintelligible00:13:44].

[00:13:45] Justin: What is that? How many people [unintelligible 00:13:48]?

[00:13:49] Lucas: Just one. All right, Justin, uh, just about got things wrapped up as far as the paperwork wise. Before I get you back on the road I just want to check your eyes, make sure that you're okay to drive the vehicle, um, and then we'll go from there, okay? So, if you can just get out and step behind the vehicle for me?

[00:14:12] Justin: Why did you pull me over again?

[00:14:13] Lucas: I explained why. It's just the, having you in the middle of the roadway, and you're backing up with no lights on.

[00:14:17] Justin: Well, that's not true though because, you know, there's no lights on, the lights come on automatically.

[00:14:23] Lucas: Okay, or maybe you have a short in the back. All I know is when I-

[00:14:27] Justin: I don't. We can test that real fast. How about one of you guys jump in there. You put it in reverse and you can see if these backup lights come on.

[00:14:32] **Lucas:** Um, we're not going to do that. I'm not writing a ticket for it either way, okay.

[00:14:36] **Justin:** So?

[00:14:37] **Lucas:** But, that's, that's why I stopped you-

[00:14:38] **Justin:** So you got a call in from somebody at O' Malley's that I was harassing their daughter.

[00:14:42] **Lucas:** They just pointed in this direction, said you were up here, or someone was up here, and they-they pointed out this vehicle. I don't know why.

[00:14:47] **Justin:** Someone. So they said someone, not me.

[00:14:49] **Lucas:** But again, that's not why I stopped you. They pointed-

[00:14:50] **Justin:** You stopped because you backing up backwards down here with my lights off-

[00:14:57] **Lucas:** Mm-hmm.

[00:14:58] **Justin:** - but the taillights come come on, automatically.

[00:15:01] **Lucas:** Okay, well, I'm telling you what I saw. In-in Idaho, that's all it needs is what I saw cause I'm a police officer: and they-they take my word for it.

[00:15:06] **Justin:** Right, right.

[00:15:06] **Lucas:** We write tickets all day long about things we don't record on our dash cam. But again, I'm not writing you a ticket for it, but that's why I pulled you over. They pointed me in this direction and said they had a complaint with someone that was driving up here. I just-

[00:15:18] **Justin:** Just someone.

[00:15:19] **Lucas:** That's why I was up here.

[00:15:20] **Justin:** Just someone, not my vehicle.

[00:15:21] **Lucas:** Sure, could've been them. That's not why, and I'm not-not pulling them over. I didn't pull you over for what they said.

[00:15:24] **Justin:** Well, you're stating in that one sentence, so it sounds like those two things are associated with it.

[00:15:30] **Lucas:** But that's why I'm saying, that's why I'm saying that's why I was up here, cuz they pointed me in this direction. Then, when I'm up here, I witness you in the middle of the road with no lights on, and you're backing up.

[00:15:37] **Justin:** That's what you said earlier.

[00:15:39] **Lucas:** That's what I saw. Yeah.

[00:15:40] **Justin:** No, that's what you said earlier when you pulled me over.

[00:15:43] **Lucas:** Yeah, and that's what I've been saying this whole time.

[00:15:46] **Justin:** Okay.

[00:15:48] **Lucas:** So, can I just check your eyes real quick?

[00:15:49] **Justin:** No.

[00:15:49] **Lucas:** You wear contacts?

[00:15:50] **Justin:** No. I do wear contacts.

[00:15:52] **Lucas:** Are they soft or hard gel?

[00:15:53] **Justin:** I don't know, whatever my doctor prescribed me.

[00:15:56] **Lucas:** Okay, here's the deal. You're not being honest about me- with me, about drinking alcohol.

[00:15:59] **Justin:** [chuckles] You're not being honest with me, about pulling me over.

[00:16:01] **Lucas:** You're not being honest with me about drinking alcohol, okay?

[00:16:03] **Justin:** You think so?

[00:16:04] **Lucas:** Right now, the more, the more cooperative you are, the better it is, it's gonna go for you, okay? At this point, legally, before I let you back on the road, I have to check your eyes and make sure you're safe to drive. I can tell you've been consuming alcohol.

[00:16:16] **Justin:** Hmm.

[00:16:18] **Lucas:** So, uh-uh, we check your eyes and everything it's good we go about our nights, but I need to-- I have to legally do that before you go any further from here. Okay?

[00:16:30] **Justin:** Well, I don't know about that cause you're already not telling the truth about what's going on here.

[00:16:35] **Lucas:** How am I not telling the truth?

[00:16:37] **Justin:** So, you get a call, I was doing something at O'Malley's, and you happened to come over here and pull me over, randomly.

File name: 2016-12-29_19-32-58.AVI

[00:16:51] **Lucas:** Did I ever say it was random?

[00:16:54] **Justin:** I'm gonna, I'm gonna, I'm gonna, I'm gonna say that that's not exactly being truthful with me.

[00:16:59] **Lucas:** You're stopping in the middle of the road with no lights on, backing up.

[00:17:03] **Justin:** Which is impossible because backup lights come on if the vehicle's in reverse.

[00:17:05] **Lucas:** Okay, well, maybe your vehicle is not in good working order.

[00:17:11] **Justin:** We're can check that out, right now.

[00:17:12] **Lucas:** We're not gonna sit out here and-and bring a mechanic out here to take a look at the wiring and-

[00:17:16] **Justin:** You don't have to. You can climb in there, put in reverse and-k

[00:17:20] **Lucas:** Justin?

[00:17:23] **Justin:** - you can all see if the backup lights come on.

[00:17:25] **Lucas:** Okay. You can argue all day long. We're not gonna argue about it. I'm telling you what I saw. That's why I stopped you. It's cuz of what I saw.

[00:17:28] **Justin:** So, you're gonna go ahead and arrest me-

[00:17:31] **Lucas:** I'm not-- I never say anything about arresting you.

[00:17:34] **Justin:** - possibly.

[00:17:34] **Lucas:** But--

[00:17:34] **Justin:** Then, we're gonna go to court and then-

[00:17:37] **Lucas:** Why would I arrest you?

[00:17:39] **Justin:** - we're gonna turn the park up light- the backup lights on, and see if they come on or not.

[00:17:41] **Lucas:** Justin, why would I-?

[00:17:41] **Justin:** Three or four or five, six, nine months down the road.

[00:17:44] **Lucas:** Why would I, why would I arrest you right now?

[00:17:46] **Justin:** I don't know. You're already making a bunch of stuff up, man.

[00:17:49] Lucas: I'm not making anything up.

[00:17:51] Justin: So randomly, you're driving on this road-

[00:17:53] Lucas: All right, Justin. We can, we-we've been over that. At this point, I need to do my part of the job where I see how much you've been drinking.

[00:18:00] Justin: What I'm saying is I don't think you have probable cause to pull me over.

[00:18:03] Lucas: I think you can argue that in court all day long

[00:18:06] Justin: You're driving, you're driving on the road, on a complaint from somebody called me in 'cuz I was doing something at O'Malley's which has to do with some girls- girl.

[00:18:16] Lucas: Okay. In the state of Idaho, legally, I have to check your eyes before I put you back on that road if I Justin: you're driving under the influence of alcohol. If you don't let me do that, and you're completely stone-cold sober, you know what that means? That means you'll go to jail for obstructing. So, you can go to jail for obstructing, you can go to jail for DUI, or you can get back on your road and drive home if I think that that's okay. But the more you stall my time on the side of this road, the more likely you're gonna be behind the seat of my car in handcuffs and going to jail.

[00:18:38] Justin: That's nice if you didn't have probable cause to pull me over.

[00:18:40] Lucas: And you can argue that in court all day long. That's what court's for. I'm telling the judge what I saw. If the judge call me out on it-

[00:18:45] Justin: So, when you, when you pulled up here, you radioed in.

[00:18:48] Lucas: Justin.

[00:18:50] Justin: I observe X and Y going on. And then you hung that microphone up, and-

[00:18:56] Lucas: That's exactly right.

[00:18:57] Justin: - then you pulled me over.

[00:18:59] Lucas: No, I-I told dispatch that I have observed a traffic offense and that I'm going to be initiating traffic stop on your vehicle for that offense.

[00:19:03] Justin: But you did that after, cuz I pulled in, and I pulled in, and I stopped, and I signaled, and I pulled down.

[00:19:11] Lucas: Okay.

[00:19:13] Justin: I was actually heading this way. That's why vehicle's heading this way.

[00:19:15] Lucas: It's-it's getting real simple, at this point.

[00:19:17] Justin: And then, you pulled in when I was going by, you turned your lights on, and I actually pulled over here assuming, since I was the only car here then you pulled me over.

[00:19:26] Lucas: Justin, it's getting really simple at this point. You're going to perform my field sobriety tests or you're going to go to jail.

[00:19:33] Justin: For what?

[00:19:37] Lucas: Either it's A or B, and at this point, you're the only one that can circle one of those letters on the paper. So which one is it?

[00:19:42] Justin: What are the field sobriety tests?

[00:19:43] Lucas: I need to check your eyes.

[00:19:45] Justin: That's not a field sobriety test.

[00:19:46] Lucas: Yes, it is. It's horizontal gaze nystagmus. It's a standardized field sobriety test in the State of America. All the way across the State of America, every state does that test. So what I would need you to do is I need you to stand, heel to heel, toe to toe.

[00:19:56] Justin: So even though the, even though you make the probable cause up?

[00:20:00] Lucas: And that's- if you wanna argue that in court go for it. That's not for you to decide whether or not I have probable cause. That's for me and a judge to decide.

[00:20:10] Justin: Yeah, it is. I'm the only other guy here, one two.

[00:20:14] Lucas: You're the only guy, your the only one that was operating that vehicle. How much alcohol have you drank tonight?

[00:20:18] Justin: None.

[00:20:19] Lucas: And you're just lying when you say that. You are lying when you say that.

[00:20:21] Justin: And are you lying about seeing me pulling over then backed up down the fucking road? [laughs]

[00:20:26] Lucas: Here let's, I don't want-- these cars are getting real close to you. Um could you just step a little bit closer over here?

[00:20:31] Justin: Oh, sure I can.

[00:20:33] Lucas: So Justin are you or are you not gonna perform these field sobriety tests? Legally I have to have you request them or I have to have you try and perform them. Before I put you back on the road, okay? I'm not here trying to get you in trouble for anything.

[00:20:46] Justin: But I really think you are.

[00:20:48] Lucas: My best case scenario is that--

[00:20:49] Justin: You tell me you got a call from some guy that was O'Malley's about his daughters and then you pull me over.

[00:20:55] Lucas: Okay.

[00:20:55] Justin: And--

[00:20:56] Lucas: Well we're not going to argue about that.

[00:20:58] Justin: Yeah, we are because I live like an 8th of a mile away from here.

[00:21:02] Police 2: We're gonna do court out here man.

[00:21:03] Lucas: Yeah, this--

[00:21:03] Police 2: We've got things to do.

[00:21:05] Justin: Guys I don't mean to be jerks about you- about this but--

[00:21:07] Police 2: Just let him, let him do his job so we can get outta here okay?

[00:21:09] Lucas: You understand I have a job to do right?

[00:21:10] Justin: I do.

[00:21:11] Lucas: At this point I'm not doing my job if I let you get behind that wheel and drive off without at least checking your eyes. Now you have--

[00:21:19] Justin: No, I don't get it man.

[00:21:20] Lucas: You can refuse to do that but you go to jail for DUI if you do. I just want you to be--

[00:21:24] Justin: I go, I go to jail for refusing to take the test?

[00:21:27] Lucas: You go to jail for DUI under suspicion of the test. If you refuse to do any of the tests then we have to assume you're drunk. In the state of Idaho that's just how it goes. So are you refusing to do the tests?

[00:21:40] Justin: I'm not gonna take a field sobriety, I don't take a field sobriety, I don't have to take a field sobriety test.

[00:21:44] Lucas: Okay. Turn around and put your hands behind your back.

[00:21:45] Justin: Okay.

[handcuffs sounds]

[00:22:15] Lucas: All right. Let's walk back here. Do you have anything in your pockets? Anything in here I need to know about before I put you in the back of my car? Poke--

[00:22:32] Justin: My front pockets have a key or something, I don't know.

[00:22:35] Lucas: Just a key?

[00:22:36] Justin: [unintelligible 00:22:36]

[00:22:38] Lucas: This feels like change or something. You've got a key, and then what do you have in your back pockets here? Nothing that's going to poke me or stick me?

[00:22:49] Justin: Nothing [unintelligible 00:22:48].

[00:22:50] Lucas: Okay, I'm gonna put this right here, okay? Can you separate your feet a little bit more me? Nothings in your waistband?

[00:22:58] Justin: Nope.

[00:23:04] Lucas: Okay. Go ahead and have a seat. I have a feeling that's going to be fun. Well, let me see if, uh, any of my guys have cleared up so they can come out here and start doing an impound.

[00:23:31] Police 2: Okay.

[00:23:31] Lucas: Um, and then we'll go from there. I appreciate you coming out.

[00:23:37] Police 2: Not a problem. I was close in the area.

[00:23:38] Lucas: Yeah, yeah it was, uh-- turn--

[00:23:43] [END OF AUDIO]