

No. 44794-1-II

COURT OF APPEALS, DIVISION II  
OF THE STATE OF WASHINGTON

---

CITY OF TACOMA, *RESPONDENT*,

v.

DAVID ERICKSON, *APPELLANT*.

---

ON APPEAL FROM PIERCE COUNTY SUPERIOR COURT

---

**BRIEF OF RESPONDENT  
CITY OF TACOMA**

---

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**TABLE OF CONTENTS**

	Page
<b>TABLE OF AUTHORITIES .....</b>	<b>ii</b>
<b>I. ISSUES PERTAINING TO APPELLANT’S ASSIGNMENTS OF ERROR .....</b>	<b>1</b>
<b>II. STATEMENT OF THE CASE.....</b>	<b>1</b>
<b>III. ARGUMENT.....</b>	<b>4</b>
A. The Superior Court did not err when it found that the defendant failed to prove by a preponderance that he was safely off the roadway.....	
B. The City did not improperly comment on the defendant’s right to counsel because testimony was elicited to prove elements of the physical control charge.....	<b>11</b>
<b>IV. CONCLUSION .....</b>	<b>19</b>

## TABLE OF AUTHORITIES

<u>Washington Cases:</u>	Page(s)
<i>City of Spokane v. Beck</i> , 130 Wn. App. 481, 123 P.3d 854 (2005), <i>review denied</i> , 157 Wn.2d 1022 (2006) .....	5, 6
<i>State v. Curtis</i> , 110 Wn. App. 6, 37 P.3d 1274 (2002).....	11, 12
<i>State v. Easter</i> , 130 Wn.2d 228, 922 P.2d 1285 (1996) .....	13
<i>State v. Gillenwater</i> , 96 Wn. App. 667, 980 P.2d 318 (1999).....	14
<i>Heinemann v. Whitman County Dist. Court</i> , 105 Wn. 2d 796, 718 P.2d 789 (1986).....	14
<i>State v. Kronich</i> , 131 Wn. App. 537, 128 P.3d 119 (2006), <i>aff'd</i> , 160 Wn.2d 893 (2007).....	16, 17
<i>State v. Lewis</i> , 130 Wn.2d 700, 927 P.2d 235, (1996) .....	11
<i>State v. McCullum</i> , 98 Wn.2d 484, 656 P.2d 1064 (1983) .....	13
<i>City of Yakima v. Mendoza Godoy</i> , 175 Wn. App. 233, 305 P.3d 1100, <i>review denied</i> , 178 Wn.2d 1019 (2013).....	9,10
<i>State v. Nemitz</i> , 105 Wn. App. 205, 19 P.3d 480 (2001) .....	12
<i>City of Edmonds v. Ostby</i> , 48 Wn. App. 867, 740 P.2d 916, <i>review denied</i> , 109 Wn.2d 1016 (1987). ) .....	5, 6
<i>State v. Reid</i> , 98 Wn. App. 152, 988 P.2d 1038 (1999) .....	5
<i>Seattle v. Stalsbrotten</i> , 138 Wn.2d 227, 987 P.2d 1059 (1999).....	14
<i>State v. Trevino</i> , 127 Wn.2d 735, 903 P.2d 447 (1995).....	17
<i>State v. Votava</i> 149 Wn.2d 178, 66 P.3d 1050 (2003) .....	5, 8, 9

Washington Statutes

RCW  
46.61.504(1)(b).....5  
RCW 46.61.504(2).....5

**I. ISSUES PERTAINING TO APPELLANT'S ASSIGNMENTS OF ERROR**

A. Whether the evidence was insufficient to for the jury to find that the defendant was not safely off the roadway.

B. Whether the superior court erred in finding that the City did not improperly comment on the defendant's right to counsel based on the facts of this case.

**II. STATEMENT OF THE CASE**

On September 29, 2011, the defendant drove his Harley Davidson motorcycle to the Opal bar on South Tacoma Way in Tacoma. (RP 176). He parked his motorcycle at an angle with the back tire against the curb. (RP 43). Anderson Durham later parallel parked his Ford Explorer in front of the Golden West, located right next to the Opal. (RP 40-41, 42). The defendant was standing nearby and seemed upset that Mr. Durham was parking too close to his motorcycle. (RP 40-41). Mr. Durham joined some friends who were smoking and drinking in the beer garden in front of the Golden West. (RP 41). The defendant went back and forth between the Opal and Golden West. (RP 42). Later in the evening, the defendant got on his Harley and put the key in it. (RP 42). As he straddled the motorcycle to upright it, he fell over and the handlebars scraped against the left quarter panel and rear bumper of Mr. Durham's Explorer, causing some scratches and a small dent. (RP 42-44, 46, 128). Some men helped the defendant upright the motorcycle and he tumbled over again. (RP 43).

After his third attempt to upright it, a woman sat on it and prevented the defendant from getting back on. (RP 43, 45, 65). The defendant never actually started the motorcycle. (RP 44). After confronting him about the damage, Mr. Durham saw the defendant put something in his pocket and stagger off down the street to the Stonegate and he called 911. (RP 45).

Officers Benboe and Mills found the defendant sipping on a drink in the Stonegate. (RP 72, 117). They noticed that the defendant was swaying, stumbling, had trouble maintaining his balance and appeared intoxicated. (RP 72, 77, 118). The officers patted him down for weapons but did not deliberately search for a motorcycle key and they did not recall finding one. (RP 161). Officer Mills advised the defendant of his rights but did not question him. (RP 118, 122).

Officer Graham arrived and spoke to Mr. Durham about the incident. (RP 128). The defendant's motorcycle was upright and still behind Mr. Durham's Explorer. (RP 130). The officer observed damage to the Explorer and saw that the motorcycle was leaking fluids and there was a noticeable pool on the ground. (RP 130, 164).

Officer Graham contacted the defendant and noticed that he had an overpowering odor of intoxicants on his breath, watery, droopy eyes, very slurred speech, and he appeared to be extremely impaired. (RP 133-34). Officer Graham tried to ask the defendant some general questions,

including whether he would take some field sobriety tests. (RP 133-34).

The defendant responded that he wanted an attorney. (RP 134).

Consequently, the officer did not administer any field sobriety tests. (RP 134). Officer Graham then arrested the defendant for DUI. (RP 134).

Officer Graham read the defendant his *Miranda* rights at the police station. (RP 135). The officer made several attempts to call an attorney using numbers on a business card that the defendant provided and ultimately contacted the on-call attorney. (RP 137-39). The phone call ended twenty minutes later. (RP 139, 143). The officer then tried to read the Implied Consent Warnings to the defendant. (RP 143, 146). The defendant continually interrupted and would not give an answer about taking the breath test. (RP 146-47). Nevertheless, the officer prepared the breath test instrument. (RP 147). The defendant refused to take the test. (RP 148). The defendant never indicated that he did not understand the Implied Consent Warnings; he did not ask for clarification, and did not seek further advice from an attorney. (RP 148). The officer took the defendant to a hospital after he passed out at the jail. (RP 150-151).

The defendant testified that he planned to drink at the Opal and take a cab home so he gave a friend his motorcycle key. (RP 179-80). His memory of the rest of the evening was “foggy.” (RP 181). He did remember “tipping over” his motorcycle but insisted he did not drive it

after drinking. (RP 183). The defendant also testified that if his motorcycle falls on its side it will leak oil and gas. (RP 177). He testified that it is uncommon for his motorcycle to tip over. (RP 185).

The jury found the defendant guilty of being in physical control while under the influence and that he refused to submit to a breath test. (RP 248).

Following his conviction for being in physical control while under the influence in Tacoma Municipal Court, the defendant appealed to the Pierce County Superior Court. The Superior Court affirmed the conviction and concluded that (1) there was sufficient evidence to convict and a rational trier of fact could have found that the defendant failed to prove by a preponderance that he was safely off the road, and (2) The City did not improperly comment on the right to counsel based on the facts of this case. This court granted in part the defendant's motion for discretionary review on the issues of the affirmative defense and right to counsel.

### **III. ARGUMENT**

A. The superior court did not err when it found that the defendant failed to prove by a preponderance that he was safely off the roadway.

A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor if the person has

actual physical control of a vehicle within this state while under the influence of or affected by intoxicating liquor. RCW 46.61.504(1)(b).

A person may not be convicted of being in physical control while under the influence if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway. RCW 46.61.504(2). The defendant must establish this affirmative defense by a preponderance of the evidence. *State v. Votava*, 149 Wn.2d 178, 187-88, 66 P.3d 1050 (2003).

The purpose of the physical control statute is to deter intoxicated drivers from assuming control of a vehicle and placing it in a position that poses a danger to the public. *State v. Reid*, 98 Wn. App. 152, 161, 988 P.2d 1038 (1999). Whether a vehicle was “safely off the roadway” is a factual issue to be decided by the trier of fact. *City of Edmonds v. Ostby*, 48 Wn. App. 867, 870, 740 P.2d 916, *review denied*, 109 Wn.2d 1016 (1987).

A reviewing court considers the evidence in the light most favorable to the prosecution to determine whether a rational trier of fact could have found that the accused failed to prove the defense by a preponderance of the evidence. *City of Spokane v. Beck*, 130 Wn. App. 481, 483, 123 P.3d 854 (2005), *review denied*, 157 Wn.2d 1022 (2006).

Whether a person has moved “safely off the roadway” turns on whether the location of the vehicle posed a danger. In *Beck*, the officer found the defendant passed out in her car with the engine running. The car was taking up two parking spaces in a parking lot of a convenience store about 20 to 30 yards from the roadway. Other than the store clerk, no other persons were present. The officer conceded that the car was off the roadway and it posed no danger. The court held that no jury could have found that the defendant failed to prove by a preponderance that she was safely off the roadway. *Beck*, 130 Wn. App. at 483.

In *Ostby*, the officer responded to a complaint concerning a vehicle in the parking lot of an apartment complex that had its lights on and engine running. The officer found the defendant passed out behind the wheel. The vehicle was still running, its lights were on, and the transmission was in drive. The vehicle was in the middle of the roadway, not in a parking stall, and was blocking access to adjoining parking areas and buildings. The court held that the situation posed a danger to the public and that the defense of moving safely off the roadway did not apply. *Ostby*, 48 Wn. App. at 870.

In this case, the defendant parked his motorcycle at the curb in front of the Opal bar on South Tacoma Way (RP 40, 43, 178). He later got on the motorcycle after he had been drinking for a couple of hours.

(RP 43, 187) The City argued that the point in time for determining if the defendant was safely off the road was not when he first parked his motorcycle, and not the position it was in when he abandoned it and staggered away, and not where it was found when the officers arrived at the scene. Rather, it was at the point when the defendant was in actual physical control of the motorcycle and fell over onto Mr. Durham's car causing damage that he was not *safely* off the road. (RP 218, 243-44). The City further argued that there was a potential danger because of the puddle of fluid that had leaked on the ground and there were bar patrons smoking nearby. (RP 129, 164, 245). The defendant had testified that if his motorcycle falls on its side, gas or oil will leak out that it is unusual for it to simply tip over. (RP 177, 185). The jury could certainly infer that the motorcycle was over on its side long enough to cause a noticeable puddle of fluid.

This case is distinguishable from *Beck*. In *Beck*, there was no danger to the public because the defendant was asleep in a vehicle 20 to 30 yards from the roadway, in an empty parking lot where no persons other than a store clerk were present. Here, the defendant was initially parked on a public street with vehicles and bar patrons nearby, and he actually caused property damage when he attempted to get on his motorcycle. By trying to upright his motorcycle, manipulate a key, and causing it to fall

over damaging another vehicle, the defendant assumed control over it and put it in a position that posed a danger to the public and himself. Because the defendant's actions posed a danger to the public he was not safely off the roadway. The defendant did exactly what the statute aims to prevent.

A defendant asserting the affirmative defense must also establish that he moved or caused the vehicle to be moved safely off the roadway, even if he did not personally drive the vehicle. *State v. Votava*, 149 Wn.2d 178, 189, 66 P.3d 1050 (2003). In that case, the defendant let a friend drive his car after drinking at a pub. The defendant asked his friend to pull over when he thought he was going to be sick and she stopped in a parking lot. The defendant got out and when he returned to his car his friend was gone, so he climbed into the driver's seat and fell asleep. A trooper found the defendant in the car in the driveway of the parking lot with the engine running and lights on. The defendant was ultimately charged with being in physical control while under the influence because there was no evidence he actually drove his car. Because the defendant did not personally drive the car safely off the roadway, the trial court refused to instruct the jury regarding the affirmative defense. On appeal, the Court held that the language "the person has moved the vehicle" does not mean that the person actually drove a vehicle because that would require proof that he or she committed the more serious crime of driving

while intoxicated, for which the defense is not available. *Votava*, 149 Wn.2d at 184, 187. The court reasoned that because a person may be in physical control of a vehicle if the vehicle was where it was by the person's choice, even if someone else was driving, a person can "move" a vehicle if he directs or causes another person to do so. *Votava*, 149 Wn.2d at 184.

More recently, the court in *City of Yakima v. Mendoza Godoy* held that a person is not entitled to the affirmative defense if he did not actually move or direct another driver to move the vehicle safely off the roadway. *City of Yakima v. Mendoza Godoy*, 175 Wn. App. 233, 238, 305 P.3d 1100, *review denied*, 178 Wn.2d 1019 (2013). In that case, a friend drove the defendant to another friend who was having car problems. The defendant sat in the car and drank beer while the others went to make a phone call. The car was parked in an empty lot. An officer later noticed him sitting in the car holding an open beer can. The defendant was intoxicated and the officer arrested him for being in physical control of a vehicle while under the influence. The trial court refused to instruct the jury on the affirmative defense because there was no evidence that the defendant moved the car. The court affirmed and held that although the car was safely off the roadway, there was no evidence the defendant

moved it or directed it to be moved there. *Mendoza Godoy*, 175 Wn. App. at 238.

In this case, the defendant drove his motorcycle and parked it in front of the Opal Tavern on South Tacoma Way before he started drinking. (RP 178). He then took physical control after drinking when he attempted to straddle and start the motorcycle. A couple men up righted the motorcycle and a woman ultimately got on it to prevent the defendant from trying to mount it again. (RP 43, 45). The defendant gave up and staggered off down the street. (RP 45). The motorcycle was legally parked when the officer observed it. (RP 156). But the defendant did not actually move it or direct or cause someone else to put it in its final location.

In sum, the defendant initially parked his motorcycle along the curb of a city street before drinking. He later took physical control of it after drinking in a manner that posed a danger to the public by damaging the bumper of the vehicle in front of him when he fell on his motorcycle. The defendant moved the motorcycle to a place that was no longer *safely* off the roadway. Viewed in the light most favorable to the City, the jury could conclude that the defendant failed to prove that he was, more probably than not, safely off the roadway.

In addition, the defendant did not move his motorcycle or cause it to be moved safely off the road after he took physical control of it. The defendant moved the motorcycle to a position that was no longer safely off the roadway by falling over on it and causing damage. Other people on their own initiative up righted it and prevented the defendant from trying to get back on it. Because the defendant did not move or cause or direct the others to move the motorcycle to its final location before the officer arrived, the defendant would not be entitled to the defense.

**B. The City did not improperly comment on the defendant's right to counsel because testimony was elicited to prove elements of the physical control charge.**

Once a suspect is arrested and *Miranda* rights are read, the prosecution violates his Fifth and Fourteenth Amendment rights by introducing evidence of his exercise of *Miranda* rights **as substantive evidence of guilt**. *State v. Curtis*, 110 Wn. App. 6, 11-12, 37 P.3d 1274 (2002). The mere reference to a constitutional right that is not a comment on that right is not reversible error without a showing of prejudice. *State v. Lewis*, 130 Wn.2d 700, 707, 927 P.2d 235, (1996). A comment occurs when the State uses the invocation of a right to its advantage as substantive evidence of guilt or suggests to the jury that it is an admission of guilt. *Lewis*, 130 Wn.2d at 707.

In *Curtis*, the defendant was charged with second and third degree assault. The prosecutor elicited testimony from the investigating officer that the defendant refused to talk to him and requested an attorney after he was read his *Miranda* rights. On appeal, the court held this was not harmless error. *Curtis*, 110 Wn. App. at 16. The court determined that the prosecutor invited the jury to infer that the defendant must have known he had done something wrong because he took backroads fleeing the scene, and that his refusal to tell his version of the story without an attorney present may have added to that inference. *Curtis*, 110 Wn. App. 14. The court stated that eliciting the defendant's post arrest silence was offered for no purpose other than to inform the jury that the defendant refused to talk to the police without a lawyer. *Curtis*, 110 Wn. App. at 14.

In *State v. Nemitz*, 105 Wn. App. 205, 19 P.3d 480 (2001), the defendant gave the officer his attorney's business card after being arrested for DUI. The State elicited from the officer that the card contained a paragraph that explained one's rights in the event they were stopped by the police. The court found that the information on the card had no probative value and only served to impermissibly infer that a person disposed to drink and drive would have the foresight to avoid self-incrimination and assert the right to counsel if stopped. *Nemitz*, 105 Wn. App. at 215.

In *State v. Easter*, the arresting officer testified over objection that the defendant behaved like a “smart drunk” because he was evasive, would not answer questions, and appeared to be hiding something. The State emphasized how the defendant ignored the officer’s questions and repeatedly referred to him as a “smart drunk” during closing argument. The Court held that testimony and argument that the defendant did not answer questions and was evasive violated his right to silence. *State v. Easter*, 130 Wn.2d 228 235, 922 P.2d 1285 (1996). In addition, describing the defendant as a “smart drunk” impermissibly characterized his silence as evasive and evidence of guilt. *Easter*, 130 Wn.2d at 235.

The City had the burden to prove beyond a reasonable doubt every fact necessary to constitute the crime charged. *State v. McCullum*, 98 Wn.2d 484, 489, 656 P.2d 1064 (1983). Each element must be analyzed in order to determine which facts must be proved. *McCullum* 98 Wn.2d at 489. The jury was instructed regarding the City’s burden of proof. (RP202-03). Even if the defendant did not deny drinking or challenge the refusal, the City still had the burden to prove each and every element beyond a reasonable doubt, including his refusal to take the breath test. (RP 202, 209). Defense counsel also argued that even though they were not disputing certain elements such as date and venue, and that the

defendant was intoxicated, the City still needed to prove all the elements of the charge. (RP 221-22).

The defendant testified that he had been drinking for a couple of hours. (RP 187). He also testified that his memory of the incident was “foggy” and he did not remember being at the police station at all. (RP 175, 182). He did agree that he may have said some things he would not have said if he had not been drinking. (RP 182-83).

Because there was no breath test, the City had to prove that the defendant was under the influence of or affected by intoxicating liquor. (RP 203). This required proof that the defendant’s ability to drive was lessened in any appreciable degree. (RP 204). Evidence that a driver had been drinking is insufficient to convict for DUI. *State v. Gillenwater*, 96 Wn. App. 667, 671, 980 P.2d 318 (1999). Rather, there must be proof that the person consumed enough alcohol to affect his or her ability to drive. *Gillenwater*, 96 Wn. App. at 671.

Evidence to prove that element would include the defendant’s physical symptoms and any field sobriety tests. A refusal to perform field sobriety tests may be used at trial. *Seattle v. Stalsbrotten*, 138 Wn.2d 227, 235, 987 P.2d 1059 (1999). Field sobriety tests are nontestimonial in nature. *Heinemann v. Whitman County Dist. Court*, 105 Wn. 2d 796, 801,

718 P.2d 789 (1986). There is no 6<sup>th</sup> Amendment right to counsel prior to submitting to the tests. *Heinemann*, 105 Wn.2d at 801.

Officer Graham testified that he tried to ask the defendant if he would perform some field sobriety tests in order to gauge his level of intoxication but “all he kept saying was that he wanted an attorney.” (RP 134). Another officer advised the defendant of his *Miranda* rights even though he was not under arrest yet. Officer Graham did not attempt to elicit incriminating or testimonial responses. The right to an attorney had not accrued yet and the officer was allowed to ask the defendant if he was willing to perform the tests despite his request for an attorney. The purpose of asking the officer why he was not able to administer those tests was to show that he was not rushing through his investigation, and was trying to gather evidence of intoxication (or lack of), and that he was attempting to give the defendant an opportunity to take the tests. The officer did not pursue further questioning or attempt to administer the tests and he never testified that the defendant refused to talk to him. (RP 134). The City never characterized the defendant’s request for an attorney as a refusal to take the field sobriety tests. The City neither intimated that the defendant was evasive nor suggested that his request conveyed consciousness of guilt. Jurors are accustomed to hearing testimony about field sobriety tests in DUI or Physical Control trials. Without an

explanation of why no field sobriety tests were given, the jury would be left with the mistaken belief that they were not offered.

The City also had to prove that the defendant refused to take the breath test and the jury received the special verdict form regarding the refusal. (RP 206, 209). The defendant did not stipulate that he refused the breath test and he never testified that he refused to take it. In order to prove the refusal the City had to establish that the defendant showed or expressed a positive unwillingness to take the test. (RP 206). The officer attempted to call an attorney using phone numbers on a business card the defendant provided before contacting an on-call attorney. (RP 137). The officer did not describe the card or its contents. After about a twenty-minute conversation, the officer read the defendant the implied consent warnings and prepared the breath test machine to give him an opportunity to take the test. (RP 145-47).

The purpose of eliciting testimony that the officer contacted an attorney was to establish a foundation for admitting the refusal evidence by showing that the defendant had ample time to decide whether or not to take the breath test. An arrested driver subject to a breath test must be advised of the *Miranda* rights and the right to access counsel under CrRLJ 3.1. *State v. Kronich*, 131 Wn. App. 537, 542-43, 128 P.3d 119 (2006), *aff'd*, 160 Wn.2d 893 (2007). If the person requests an attorney, access to

counsel must be provided before administering the test. *Kronich*, 131 Wn. App. at 543. An officer must also read the implied consent warning before conducting a breath test. *State v. Trevino*, 127 Wn.2d 735, 746-47, 903 P.2d 447 (1995). The purpose of the implied consent warning is to give the accused the right to make a knowing and intelligent decision whether or not to submit to a breath test. *Trevino*, 127 Wn.2d at 747. Failure to provide access to counsel or to properly give the implied consent warning results in suppression of the test results. *Kronich*, 131 Wn. App. at 543; *Trevino*, 127 Wn.2d 735.

The jury was instructed regarding implied consent. (RP 205-06). The City stated in closing that Officer Graham was with the defendant at the police station for “quite a long time” and that he had to read the implied consent warnings not once, but twice, because the defendant was rambling and interrupting. (RP 219). The City also stated that the officer contacted an attorney before reading the implied consent warning and described how the officer tried to get a definitive answer as to whether the defendant would take the test. The City argued:

And the officer said that he put the defendant in touch with The attorney at 9:49 p.m. and then that call ended at 10:09. That’s twenty minutes. That’s a long time. The defendant had plenty of time to talk to this attorney and ask questions, get advice or whatever he needed. And then after the officer read the implied consent warning two times then he asked the defendant are you going to take this breath test? The

first time he gets this response of I want a cab. I need a cab. and then there's he's unresponsive. He doesn't give an actual answer to the question yes or no. So the officer gets prepared to set up the machine. Everything is ready to go and asked him again. Will you take the breath test? And this time what does he say? No, are you f\*\*\*ing stupid? I mean how much more what more do you need? There was no.

(RP 220).

The jury was allowed to infer guilt by reason of the defendant's refusal to take the breath test. (RP 204). In order to make that inference, the jury had to find that the defendant refused the test. Arguing that the twenty-minute conversation was a "long time" was a reasonable inference from the testimony and was offered in the context of establishing that the defendant was properly advised of his right to take or refuse the test and had ample time to make a decision before refusing to take it.

The facts of this case are distinguishable from *Curtis, Nemitz*, and *Easter*. The City never commented on the defendant's request for an attorney or used it as substantive evidence of guilt by suggesting he must be guilty if he requested an attorney. Nor did the City insinuate that the defendant was being evasive or cloaking guilt behind a request for an attorney. Other than obtaining a phone number from a business card, there was no testimony elicited about any rights or information on the card that would suggest the defendant prepared himself against self-incrimination in the event he was arrested. Unlike *Curtis, Nemitz*, and *Easter*, where there

was no discernible reason for commenting on a constitutional right, the testimony here that the defendant requested an attorney was offered for a very limited, specific purpose. Testimony was offered solely to show that the officer attempted to conduct a DUI investigation to include field sobriety tests, and to establish that the defendant had a full opportunity to seek advice before deciding to refuse the breath test.

The City never attempted to exploit the defendant's request for an attorney as substantive evidence of guilt or invite an inference of guilt from the exercise of that right. The reference to this request does not constitute an improper comment on the defendant's right to counsel. The superior court's conclusion that the City did not improperly comment on the defendant's right to counsel based on the facts of this case was not contrary to case law.

#### **IV. CONCLUSION**

The evidence was sufficient to convict the defendant of being in physical control of a motor vehicle while under the influence because the defendant failed to prove the affirmative defense of being safely off the roadway. When the defendant moved his motorcycle he was no longer safely off the roadway. The defendant neither moved nor caused his motorcycle to be moved from an unsafe position to its final parked

position before the officer arrived. The defendant failed to prove by a preponderance that he moved safely off the roadway before being pursued by the officer. The City did not improperly comment on the defendant's request for counsel. The City had the burden to prove each element of the offense, including that he refused a breath test. The purpose of eliciting testimony regarding the officer's accommodating the defendant's request was to establish a foundation for the refusal evidence. This court should affirm the conviction.

Respectfully submitted this 19 day of December, 2013.

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Court of Appeals Case Number: 44794-1

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**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION II**

CITY OF TACOMA,  
Plaintiff/Respondent,  
vs.

No. 44794-1-II  
(Superior Court No. 12-2-08368-7)

DAVID ERICKSON,  
Defendant/Appellant.

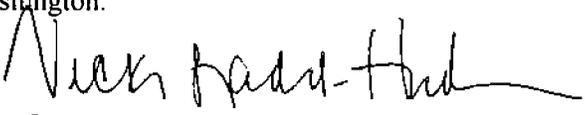
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APPEAL TO DIVISION II

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On December <sup>19</sup>~~20~~, 2013, I sent, via Pre-Paid U.S. Postage a copy of the following document(s):  
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1115 TACOMA AVE S  
TACOMA WA 98402

I declare under penalty of perjury under the laws of the State of Washington that the foregoing  
is true and correct:

December 20, 2013, at Tacoma, Washington.

  
Vicki Ladd-Hudson, Paralegal

DECLARATION OF SERVICE

City of Tacoma, Prosecutor's Office  
930 Tacoma Avenue South #440  
Tacoma, WA 98402  
253-591-5834 - Fax 253-591-5398

**TACOMA MUNICIPAL COURT**  
**December 20, 2013 - 1:21 PM**  
**Transmittal Letter**

Document Uploaded: 447941-Ericksondeclofservice.pdf

Case Name: David Erickson, Appellant v. City of Tacoma, Respondent

Court of Appeals Case Number: 44794-1

**Is this a Personal Restraint Petition?**    Yes        No

**The document being Filed is:**

Designation of Clerk's Papers                      Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: \_\_\_\_

Answer/Reply to Motion: \_\_\_\_

Brief: \_\_\_\_

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes: \_\_\_\_

Hearing Date(s): \_\_\_\_\_

Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

Other: Declaration of Service\_\_\_\_\_

**Comments:**

No Comments were entered.

Sender Name: Vicki S Ladd-hudson - Email: [vladd@cityoftacoma.org](mailto:vladd@cityoftacoma.org)