

No. 47469-7-II

COURT OF APPEALS, DIVISION II
STATE OF WASHINGTON

STATE OF WASHINGTON,

Appellant,

vs.

JEREMY ROBERT DOCKSTADER,

Respondent.

On Appeal from the Pierce County Superior Court
Cause No. 14-1-03485-9
The Honorable Ronald E. Culpepper, Judge

BRIEF OF RESPONDENT

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I. ISSUES PERTAINING TO APPELLANT'S ASSIGNMENTS OF ERROR

1. Did the trial court correctly grant the motion to suppress, and correctly find that the facts known to the arresting officer when he initiated the investigative stop did not create a reasonable suspicion of criminal behavior, where a named but unknown citizen reported behavior that is innocuous and contained bare conclusions unsupported by any factual foundation that Jeremy Dockstader was intoxicated, and where the officers did not observe any behavior that would corroborate a belief that Dockstader was driving his truck while impaired.
2. Do the trial court's unchallenged Findings of Fact correctly state that the responding officers did not corroborate the citizen tip before initiating the investigative detention, where the arresting officer acknowledged that the basis for the stop was the information contained in the tip and where the officer's report, the dispatch recordings and a surveillance video all indicate that Jeremy Dockstader's truck had already come to a stop when the officer initiated contact?

II. STATEMENT OF THE CASE

Respondent Jeremy Robert Dockstader accepts the statement of the procedural history set forth in the State's Opening

Brief of Appellant,¹ and adds the following relevant facts.

On September 4, 2014, at 12:45 AM, Lakewood police received a 911 call from a person who identified himself as “Tom,” reporting that he was in the parking lot of Mac’s Deli on Bridgeport Way, and that he saw a man slumped over the steering wheel of a silver Dodge Ram pickup truck with its engine running, and with his foot apparently on the gas pedal. (02/25/15 RP 14, 15-16, 17, 61; CP 94-95) Lakewood Police Officers Dennis Harvey and Nicholas McClelland both responded in their separate patrol vehicles. (02/25/15 RP 19, 86, 88; CP 95)

Officer Harvey arrived at 12:53 AM, and saw the tail end of a truck pulling out of the parking lot and onto True Lane, a side street that runs behind Mac’s Deli. (02/25/15 RP 20, 21, 22; CP 95) True Lane is a narrow, paved street that is wide enough for two lanes of travel, but has no dividing or fog lines, and which ends abruptly at a dirt and gravel shoulder. (02/25/15 RP 20; CP 95; see also photos at Exh. D4 and CP 29-31, and photos attached in Appendix A)

Officer Harvey followed the truck and turned onto True Lane. (02/25/15 RP 22) Officer Harvey testified that he observed the truck

¹ RAP 10.3(b) provides that “a statement of the case need not be made if respondent is satisfied with the statement in the brief of appellant or petitioner.”

veer slowly to the left into the area where oncoming traffic would be, and then pull alongside a bicyclist who happened to be riding on the side of the road. (02/25/15 RP25-26, 51, 57) Officer Harvey testified that he pulled in behind the truck and activated his emergency lights, and the truck came to a stop partially on the roadway and partially on the shoulder. (02/25/15 RP 26-27, 59; CP 95)

However, Officer Harvey did not mention his observations of the truck's movements in his police report, and physical evidence presented at the suppression hearing contradicted his testimony and indicated instead that the truck had already stopped moving by the time Officer Harvey turned onto True Lane, and that Officer Harvey did not observe the truck in motion before initiating the stop. (02/25/15 RP 58, 59, 66, 70, 120; Exh. D1; CP 95) Officer Harvey also admitted his decision to stop the truck was based entirely on the information provided by Tom and not on his observations. (02/25/15 RP 57, 60)

Officer McClelland testified that he arrived at about the same time as Officer Harvey, and saw the truck exiting onto True Lane. (02/25/15 RP 88) He testified that he observed the truck drift to the left and come to a stop partially on the road and partially on the shoulder. (02/25/15 RP 89) Officer McClelland testified that he did

not see whether the driver had any interaction with the bicyclist, but he later acknowledged that he told dispatch that the driver “is right here talking to the guy on the bike.” (02/25/15 RP 91, 96-97; CP 95) He also testified that the truck was stopped when Officer Harvey activated his lights. (02/25/15 RP 94) Later, after Dockstader was taken into custody and a tow truck arrived, Officer McClelland returned to Mac’s Deli and spoke to Tom. (02/25/15 RP 92-93)

After granting Dockstader’s motion to suppress, the trial court entered the following relevant and unchallenged Findings of Fact:

1. Officer Harvey knew at the inception of the stop the following: he received information from dispatch; the reporting person’s name was Tom; there was a phone number given as (253) 589-5066; the location was 12706 Bridgeport Way Southwest; the vehicle description given was a silver Dodge Ram 1500; and the description as to what was observed was a man passed out in a running vehicle in the parking lot.
...
4. Officer Harvey testified he saw the bed of a truck he believed fit the description. It matched the make and model....
5. The officers gave testimony on direct examination regarding the driving observed. This was contradicted by their testimony on cross-examination, by video surveillance, and by radio dispatch. Both officers’ testimony upon cross-examination indicated that this vehicle was stopped at the inception of the police contact....
6. The officers actually observed that the vehicle was stopped along the left-hand side of True Lane Southwest, partially on the road, and partially off

the road prior to the initiation of the stop. The vehicle was stopped facing oncoming traffic. However, there is no edge line and there is no divide line down the middle of this road.

...

8. There was no testimony regarding traffic other than there was someone on a bike, which was parallel to the vehicle stopped.

...

10. Officer Harvey initiated a traffic stop at this time by activating his emergency lights and pulling in behind the truck.

...

13. Officer Harvey testified, "If it's not in my report, it was not a basis for the stop." Officer Harvey did not articulate any observations regarding driving of the vehicle in his report other than he saw it pull onto True Lane.
14. Officer Harvey testified that he did not base his stop on any observed driving. The basis for the stop was the tip.
15. On cross-examination, Officer Harvey testified that he did not know if the tip was reliable.
16. Officer Harvey did not corroborate the information from the tip prior to initiating the stop.

(CP 94-96, also attached in Appendix B) The trial court concluded that the information provided by Tom was not enough, standing alone, to create a reasonable suspicion to stop the truck, and that Officer Harvey failed to corroborate the tip before initiating the stop. (CP 96-97; 02/25/15 RP 119-21)

III. ARGUMENT & AUTHORITIES

Unchallenged findings of fact entered following a suppression hearing are verities on appeal. State v. O'Neill, 148 Wn.2d 564, 571,

62 P.3d 489 (2003). And the appellate court reviews conclusions of law de novo. State v. Mendez, 137 Wn.2d 208, 214, 970 P.2d 722 (1999).

Both the Fourth Amendment of the United States Constitution and article I, section 7 of the Washington Constitution prohibit unreasonable seizures. State v. Kennedy, 107 Wn.2d 1, 4, 726 P.2d 445 (1986). A traffic stop is a seizure. Kennedy, 107 Wn.2d at 4. Warrantless seizures are per se unreasonable, unless an exception to the warrant requirement applies. State v. Ladson, 138 Wn.2d 343, 349, 979 P.2d 833 (1999). The State must show by clear and convincing evidence that an exception applies and the stop was justified. State v. Garvin, 166 Wn.2d 242, 250, 207 P.3d 1266 (2009).

One exception is an investigative stop, including a traffic stop, that is based on a police officer's reasonable, articulable suspicion of either criminal activity or a traffic infraction. State v. Arreola, 176 Wn.2d 284, 292-93, 290 P.3d 983 (2012); see Terry v. Ohio, 392 U.S. 1, 21, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968). A reasonable suspicion exists when specific, articulable facts and rational inferences from those facts establish a substantial possibility that criminal activity or a traffic infraction has occurred or is about to

occur. Kennedy, 107 Wn.2d at 6; State v. Snapp, 174 Wn.2d 177, 197-98, 275 P.3d 289 (2012).

“The circumstances must suggest a substantial possibility that the particular person has committed a specific crime or is about to do so.” State v. Martinez, 135 Wn. App. 174, 180, 143 P.3d 855 (2006) (citing State v. Garcia, 125 Wn.2d 239, 242, 883 P.2d 1369 (1994)). An important safeguard to individual liberty in an investigative stop analysis is the principle that the circumstances justifying the stop must be more consistent with criminal conduct than with innocent conduct. State v. Pressley, 64 Wn. App. 591, 596, 825 P.2d 749 (1992); State v. Thierry, 60 Wn. App. 445, 448, 803 P.2d 844 (1991).

“The ‘reasonable suspicion’ necessary to justify a stop ‘is dependent upon both the content of information possessed by police and its degree of reliability.’” Navarette v. California, 134 S. Ct. 1683, 1687, 188 L. Ed. 2d 680 (2014) (quoting Alabama v. White, 496 U.S. 325, 330, 110 S. Ct. 2412, 110 L. Ed. 2d 301 (1990)).

When an officer bases his or her suspicion on an informant’s tip, the State must show that the tip bears some “indicia of reliability” under the totality of the circumstances. State v. Z.U.E., 183 Wn.2d 610, 618, 352 P.3d 796 (2015). Courts “require that there must either

be (1) circumstances establishing the informant's reliability or (2) some corroborative observation, usually by the officers, that shows either (a) the presence of criminal activity or (b) that the informer's information was obtained in a reliable fashion." Z.U.E., 183 Wn.2d at 618 (citing State v. Sieler, 95 Wn.2d 43, 47, 621 P.2d 1272 (1980); State v. Lesnick, 84 Wn.2d 940, 944, 530 P.2d 243 (1975)). These corroborative observations do not need to be of particularly blatant criminal activity, but they must corroborate more than just innocuous facts. Z.U.E., 183 Wn.2d at 618-19 (citing State v. Wakeley, 29 Wn. App. 238, 241-43, 628 P.2d 835 (1981)).

In this case, the State first contends that the citizen's report contained sufficient indicia of reliability and provided Officer Harvey with a reasonable, articulable suspicion that the driver of the truck was impaired. (Opening Brief of Appellant at 7-10) The State argues that a report from a known citizen can, standing alone, provide reasonable suspicion or probable cause for officers to seize or arrest an individual. (Opening Brief at 6) The State cites State v. Glenn for support. 140 Wn. App. 627, 166 P.3d 1235 (2007). But Glenn is easily distinguishable.

In Glenn, a seven-year-old boy told his mother that a man in a passing car had pointed a gun at him from the car window. His

mother called the police. King County Sheriff's Officers responded to the call and while they interviewed the boy, a car drove past and the boy pointed it out to the officers and said that it was the same car from which the man had pointed a gun. The officers were able to stop the car a few blocks away. 140 Wn. App. at 631.

After removing Glenn from the car, officers conducted a search of his car to insure officer safety. They did not find a gun, but found 250 grams of marijuana. Glenn, 140 Wn. App. at 632. On appeal, Glenn argued that the warrantless search of his car during the stop was unconstitutional. 140 Wn. App. 627. Division 1 disagreed, finding that the officers had reason to be concerned for their safety if Glenn was returned to his vehicle after the stop, and that "a credible report that a gun has been displayed from a vehicle justifies a search of that vehicle under the officer safety exception to article I, section 7 of our constitution." 140 Wn. App. at 636.

The Glenn court was presented with very different circumstances than those present in this case. First, in Glenn, the officers met, identified and interviewed the reporting party before they initiated the stop. 140 Wn. App. at 631. But here, no one from law enforcement met or identified Tom until well after Officer Harvey initiated the detention. (02/25/15 RP 93) Second, in Glenn, the boy

reported personally observing what is undoubtedly a criminal act—pointing a firearm at another individual from a vehicle. 140 Wn. App. at 631. Here, Tom reported observing conduct that is not criminal—sitting in an idling truck while resting against the steering wheel. (02/25/15 RP 15, 61) Third, the Glenn court was addressing whether a report that a driver of a vehicle pointed a gun at a child provides sufficient grounds to support a search under the officer safety exception to the warrant requirement. 140 Wn. App. at 633-37. The Glenn court did not address when and under what circumstances a citizen report can justify initiating a Terry stop, which is at issue in this case.

The State also compares this case to Navarette v. California, *supra*, and argues that it supports a conclusion that Tom's report provided sufficient facts to support the investigative stop. In that case, a caller reported that the defendant's pickup truck forced her off the highway. Navarette, 134 S. Ct. at 1686-87. The Court decided that several factors supported the caller's reliability: the caller was an eyewitness, she made the report contemporaneously to the incident, and she called the emergency 911 line, making her accountable for the provided information, since police can trace those calls. 134 S. Ct. at 1689. The Court also explained that the

officer did not need to corroborate the caller's allegations prior to pulling over the truck because, as a matter of policy, officers should not be required to use less intrusive means to investigate a possible drunk driver: "allowing a drunk driver a second chance for dangerous conduct could have disastrous consequences." 134 S. Ct. at 1691-92.

However, Navarette is distinguishable on several points. First, the Navarette Court was analyzing its facts under Fourth Amendment protections. But it is well settled that article I, section 7 of the Washington constitution provides greater protection of a person's right to privacy than the Fourth Amendment, including in investigative and traffic stop situations.² Accordingly, "article I, section 7 may require a stronger showing by the State to establish that the suspicion was reasonable under the circumstances" that were presented in Navarette. Z.U.E., 183 Wn.2d at 621 fn. 4.

But Navarette can also be distinguished on its facts, because there the caller specifically described observing an act that is a crime and that presented a current and serious danger to the community:

The 911 caller in this case reported more than a minor traffic infraction and more than a conclusory allegation

² See State v. Young, 135 Wn.2d 498, 510, 957 P.2d 681 (1998); State v. Ferrier, 136 Wn.2d 103, 111, 960 P.2d 927 (1998); State v. Hendrickson, 129 Wn.2d 61, 69 n. 1, 917 P.2d 563 (1996); O'Neill, 148 Wn.2d at 584.

of drunk or reckless driving. Instead, she alleged a specific and dangerous result of the driver's conduct: running another car off the highway. That conduct bears too great a resemblance to paradigmatic manifestations of drunk driving to be dismissed as an isolated example of recklessness. Running another vehicle off the road suggests lane-positioning problems, decreased vigilance, impaired judgment, or some combination of those recognized drunk driving cues.

Navarette, 134 S. Ct. at 1691.

Washington courts have also held that an informant's "bare conclusion unsupported by any factual foundation" is insufficient to support an investigatory stop. Sieler, 95 Wn.2d at 49. Sieler involved a dispatch call advising police officers that a named but otherwise unknown informant reported a "drug sale" in a school parking lot. 95 Wn.2d at 44. The informant gave a description of the car involved in the sale but did not provide any factual basis for his belief that a sale had occurred. 95 Wn.2d at 45. Based on this tip alone, the officers pulled over a car located near the school that matched the given description. 95 Wn.2d at 45. The Supreme Court concluded that, even if it assumed the informant's reliability, the detention and questioning of defendants was unconstitutional because "[t]he police conducted an investigatory detention based upon an informant's bare conclusion unsupported by any factual foundation known to the police." 95 Wn.2d at 49.

Similarly, in State v. Hopkins, a named but unknown informant reported to 911 that he saw a minor scratching his leg with what appeared to be a gun. 128 Wn. App. 855, 864, 117 P.3d 377 (2005). This Court held that the subsequent seizure of Hopkins was unlawful because “these facts alone fail to reliably provide an officer with reasonable suspicion of criminal behavior.” 128 Wn. App. at 864, 865-66.

In this case, Tom did not report seeing the driver engage in any reckless or dangerous behavior, did not report smelling intoxicants or seeing the driver consume liquor or other illegal substances, and did not report some other combination of “recognized drunk driving cues.” Tom simply reported seeing a man hunched over a steering wheel while the motor was running. (CP 94-95) It is certainly not a crime to sit in a car with the engine running or to rest one’s head on the steering wheel. While such actions may be unusual, they do not create enough of a suspicion of criminal behavior to justify a warrantless seizure, and some corroboration of impairment was required before Officer Harvey initiated the stop.

Unlike the information provided to police in Navarette, the information reported to 911 in this case amounted to nothing more than a “conclusory allegation” that the driver of the truck was under

the influence or impaired. Like the information provided to officers in Sieler and Hopkins, the information provided to Officer Harvey did not contain sufficient facts to support a conclusion that Dockstader had or was about to commit a criminal act or traffic infraction. The tip therefore does not contain sufficient indicia of reliability and cannot support the investigative detention in this case.

Finally, the State contends that Officer Harvey's observations corroborated the tip. (See Opening Brief at 1, 3, 9, 10) However, the trial court determined just the opposite, finding:

- Both officers' testimony upon cross-examination indicated that this vehicle was stopped at the inception of the police contact. (Finding of Fact 5)
- The officers actually observed that the vehicle was stopped along the left-hand side of True Lane Southwest, partially on the road, and partially off the road prior to the initiation of the stop. (Finding of Fact 6)
- Officer Harvey did not articulate any observations regarding driving of the vehicle in his report other than he saw it pull onto True Lane. (Finding of Fact 13)
- Officer Harvey testified that he did not base his stop on any observed driving. The basis for the stop was the tip. (Finding of Fact 14)
- Officer Harvey did not corroborate the information from the tip prior to initiating the stop. (Finding of Fact 16)

(CP 95-96) The State did not assign error to or challenge the accuracy of these Findings of Fact, so they are verities on appeal. O'Neill, 148 Wn.2d at 571. Accordingly, Officer Harvey did not corroborate information from the tip and made no observations that

would have supported a belief that the driver of the truck was under the influence of drugs or alcohol.

Nevertheless, even if Officer Harvey did observe the truck roll slowly to the opposite side of the road, or even if Officer Harvey saw the truck stopped partially on the shoulder and partially on the left side of True Lane, these are still insufficient facts to support a suspicion that Dockstader was driving while impaired. In the case of a stop for suspected DUI, extreme or pronounced weaving in one's lane for a substantial distance may give rise to a reasonable suspicion of DUI that would justify a stop, but minor lane travel variances do not. See State v. Prada, 145 Wn. App. 646, 186 P.3d 1186 (2008); see also U.S. v. Colin, 314 F.3d 439 (9th Cir. 2002) (drift onto fog line for ten seconds then a drift to the left traveling on yellow line for ten seconds did not give officer probable cause to stop).

Furthermore, True Lane has no marked dividing, lane, or fog lines, so traffic laws regarding lane of travel do not apply. (See Conclusions of Law at CP 96) RCW 46.61.140 states:

Whenever any roadway has been divided into two or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply:

(1) A vehicle shall be driven as nearly as

practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

In this case, Dockstader apparently moved slowly to the left and came to a stop, and there was no evidence of any traffic on True Lane other than the single bicyclist. (02/25/15 RP 47-48, 51; CP 95) So even if the spirit of this statute is applied to True Lane, Dockstader committed no violation because his "movement" was made safely.

There is simply no evidence that Dockstader was driving in an unsafe manner, and the State has not pointed to any crime or traffic infraction that he committed when he stopped on the left side of True Lane. Accordingly, even if the Officers did observe the truck before it came to a stop, their observations did not corroborate a suspicion that Dockstader was impaired.

The citizen tip contained conclusions unsupported by observed or corroborated facts. The tip alone did not provide reasonable, articulable suspicion of criminal behavior. Even if coupled with what the Officers did observe, the facts still do not create a reasonable suspicion of criminal behavior. The trial court correctly granted Dockstader's motion to suppress.

IV. CONCLUSION

Sitting in an idling truck while resting on the steering wheel is not a crime, nor does it create a reasonable suspicion that the driver is impaired or intoxicated. The tip describing these observations does not alone support an investigative detention. And the officers acting on this tip did not observe any behavior that corroborated a belief that the driver was impaired or intoxicated. Accordingly, the State failed to show that the stop was justified under the investigative detention exception to the warrant requirement, and the trial court's decision to grant Dockstader's motion to suppress should be affirmed.

DATED: December 30, 2015



STEPHANIE C. CUNNINGHAM, WSB #26436
Attorney for Respondent Jeremy R. Dockstader

CERTIFICATE OF MAILING

I certify that on 12/30/2015, I caused to be placed in the mails of the United States, first class postage pre-paid, a copy of this document addressed to: Jeremy R. Dockstader, DOC# 732692, Washington Corrections Center, P.O. Box 900, Shelton, WA 98584.



STEPHANIE C. CUNNINGHAM, WSBA #26436

APPENDIX A

PHOTOGRAPHS OF TRUE LANE SOUTHWEST

12788 Tree Ln SW
Lakewood, Washington
Street View - Jul 2012



12796 True Ln SW
Lakeview, Washington
Street View - Jul 2012



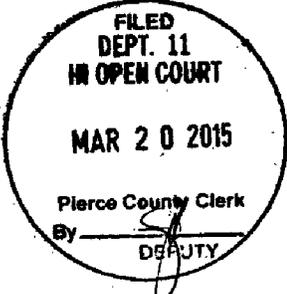
APPENDIX B

FINDINGS OF FACT & CONCLUSIONS OF LAW

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

JEREMY DOCKSTADER

Defendant.

NO. 14-1-03485-9

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

On September 4, 2014, Jeremy Dockstader was stopped and arrested by Officer Harvey for driving under the influence. A hearing was held on February 24, 2014, regarding the Defense motion to suppress the basis for the stop. The Court, having heard testimony from Officers Harvey and McClelland, listened to radio traffic, viewed marked exhibits and in-court illustrations, and video surveillance, now enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Officer Harvey knew at the inception of the stop the following: he received information from dispatch; the reporting person's name was Tom; there was a phone number given as (253) 589-5066; the location was 12706 Bridgeport Way Southwest; the vehicle description given was a silver Dodge Ram 1500; and the description as to

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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3/24/2015

- 1 what was observed was a man passed out in a running vehicle in the parking lot.
- 2 2. Officers Harvey and McClelland were driving separate vehicles when they received
- 3 this information, and responded to the scene in their respective vehicles.
- 4 3. The officers arrived eight minutes after the call. The vehicle was no longer in the
- 5 same position as described in the call.
- 6 4. Officer Harvey testified he saw the bed of a truck he believed fit the description. It
- 7 matched the make and model. Officer Harvey admitted he may have been off in
- 8 regards to the color. *Gray versus silver is relatively close.*
- 9 5. The officers gave testimony on direct examination regarding the driving observed.
- 10 This was contradicted by their testimony on cross-examination, by video surveillance,
- 11 and by radio dispatch. Both officers' testimony upon cross-examination indicated that
- 12 this vehicle was stopped at the inception of police contact. *on direct examination,*
- 13 6. The officers actually observed that the vehicle was stopped along the left-hand side of
- 14 True Lane Southwest, partially on the road, and partially off the road prior to the
- 15 initiation of the stop. *yes, it appear* The vehicle was stopped facing *oncoming traffic. However, there is no edge line* and
- 16 7. True Lane Southwest is a road wide enough for two cars to pass, but there are no lane
- 17 lines painted on the road, and the shoulder ends abruptly to grass, dirt, and gravel.
- 18 8. There was no testimony regarding traffic other than there was someone on a bike,
- 19 which was parallel to the vehicle stopped.
- 20 9. Officer McClelland testified that he relayed to dispatch "he," being the individual
- 21 driving the vehicle, "is right here talking to the guy on the bike."
- 22 10. Officer Harvey initiated a traffic stop at this time by activating his emergency lights
- 23 and pulling in behind the truck.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Page 2 of 4

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11. Officer Harvey admitted he saw the license plate after he pulled in behind the vehicle, and specifically stated he could not see the license or number when he first saw the defendant's vehicle.

12. At some point after initiating the stop, Officer Harvey confirmed that the vehicle's license plate number matched that which was reported by dispatch.

13. Officer Harvey testified, "If it is not in my report, it was not a basis for the stop." Officer Harvey did not articulate any observations regarding driving of the vehicle in his report other than that he saw it pull onto True Lane.

14. Officer Harvey testified that he did not base his stop on any observed driving. The basis for the stop was the tip.

15. On cross-examination, Officer Harvey testified that he did not know if the tip was reliable.

16. Officer Harvey did not corroborate the information from the tip prior to initiating the stop.

CONCLUSIONS OF LAW

Because the road on which all of the above occurred, True Lane Southwest, is not divided by lane lines, the provisions of RCW 46.61.140 do not apply.

The information received from Tom to the 911 dispatcher did contain information or fact that could have, if corroborated, provided Officer Harvey with reasonable suspicion at the inception of the stop. The vehicle he observed did match the description and the license plate, but only after he got behind that vehicle and had already initiated the stop. The stop in this case occurred prematurely.

CUNNINGHAM LAW OFFICE

December 30, 2015 - 12:34 PM

Transmittal Letter

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Case Name: State v. Jeremy R. Dockstader

Court of Appeals Case Number: 47469-7

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The document being Filed is:

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Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: _____

Answer/Reply to Motion: _____

Brief: Respondent's

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: _____

Comments:

No Comments were entered.

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