Incident Report IDAHO STATE POLICE



Supplement No ORIG



Reported Date
01/25/2013
Nature of Call
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Officer
KLITCH, JUSTIN C

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On January 25th, 2013 at approximately 1140 hours, I, Senior Trooper J. Klitch stopped a red Honda Ridgeline (Colorado Plates: 251MZA) on eastbound Interstate 84 near milepost 2 for careless driving. The driver, ROSEEN, was cited and released for Careless Driving.

Arbitrator

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- 1. On January 25th, 2013 at approximately 1140 hours, I, Senior Trooper J. Klitch was patrolling on Interstate 84 near milepost 1 in Payette County, Idaho. At the above time I was patrolling stationary in the median observing eastbound traffic.
- 2. I observed a red Honda Ridgeline (Colorado Plates: 251MZA) pass my location travelling eastbound in the left lane. I pulled out from the median and the driver immediately activated his turn signal and changed lanes into the right lane. After changing lanes, the driver turned right into the eastbound rest area without using a turn signal. I immediately became suspicious of the driver's behavior as it appeared he was trying to avoid law enforcement.
- 3. After pulling into the rest area, the driver appeared to be observing my location and crashed into the curbing separating the truck and car area of the rest area. After hitting the curb, the driver pulled into the car parking area, pulled into a parking stall, then again hit the curbing, and came to a stop.
- 4. I activated my overhead emergency lights and stopped the Honda. After coming to a stop, the driver immediately exited the Honda and began walking towards me. I noticed the driver was grabbing his lower back as if he were injured. I informed the driver that I was with the Idaho State Police. I asked the driver if he was ok and he informed me had fallen on the ice earlier in the day. I asked the driver to have a seat back in his vehicle and informed him the reason for the stop. I asked the driver why he had committed the traffic violations and he indicated he was watching me. I asked the driver why he pulled into the rest area and informed me he had to go to the bathroom. I informed the driver he didn't have to go to the bathroom before he saw me and he said, "That's true, I did not have to."

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Narrative

- 5. I noticed the driver's eyes were glassy. I asked the driver if he needed medical attention for his injured back and he informed me he was ok. I asked the driver where he was coming from and he indicated he was coming from Washington and was headed to Colorado. While talking with the driver I noticed his hands were shaking uncontrollably as if he were extremely nervous. I identified the driver as Darien E. ROSEEN (DOB: With his Washington driver's license.
- 6. I asked ROSEEN if he minded if I asked him some questions and he said he did not. I informed ROSEEN his behavior was consistent with someone who had illegal items in their vehicle. I informed ROSEEN I was going to call for a drug detecting K9 and he indicated that was fine and that I wouldn't find anything. ROSEEN did say he had medications in the vehicle. I asked ROSEEN when he'd last used Marijuana and he said he hadn't ever used Marijuana. I asked ROSEEN if I could search his vehicle and he indicated he did not want me to search his vehicle.
- 7. From prior experience I knew Honda Ridgelines game with a manufactured compartment in the bed of the vehicle. I asked ROSEEN about the compartment in the bed of the truck and he acted as if he were shocked that I knew about the compartment and said I was the first person he had run across that knew about that compartment. I asked ROSEEN about high value items and cash in the vehicle and he indicated he had a small amount of cash. ROSEEN did indicate his vehicle had a lot of valuable art supplies in the vehicle.
- 8. I asked ROSEEN what was in the compartment in the bed of the truck and he indicated there were clothes for a baby shower. I asked ROSEEN if he minded showing me what was in the compartment and he voluntarily said he would show me. I asked ROSEEN if he had computers in the car and he indicated he had a laptop in the car. I asked ROSEEN if there was anything on the laptop that he was concerned about and he said there wasn't.
- 9. I conducted a driver's check on ROSEEN.
- 10. ROSEEN opened the compartment in the bed of the truck. After opening the compartment I could smell the odor of Marijuana. I questioned ROSEEN about the odor of Marijuana and he acted as if he were shocked. I asked ROSEEN if he could smell the Marijuana odor and he said he couldn't, but did know what Marijuana smelled like.
- 11. I informed ROSEEN I was going to be searching the vehicle.
- 12. I searched ROSEEN for weapons and contraband and had him sit in the rear seat of my patrol car.
- 13. Due to the value of the items in the vehicle and that the rest area had wet roads and snow, I did not feel it was reasonable to take the belongings out of the truck and place them where they could get wet.
- 14. I requested a Fruitland City Officer respond to the scene. Officer Christensen arrived at the scene. I asked Officer Christensen to drive the Honda to the Sheriff's Office so I could do a safe search.

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- 15. Officer Christensen transported the Honda to the Payette County Sheriff's Office Sally Port.
- 16. I transported ROSEEN to the Sheriff's Office. After arriving at the Sheriff's Office I cited and released ROSEEN for Careless Driving. I informed ROSEEN he was free to leave, but that I was holding the vehicle so I conduct a search.
- 17. Deputy Webster and I searched the bed of the truck and the compartment in the trunk. While searching the area I found two large rolls of aluminum sheeting. I recognized this aluminum sheeting to be consistent with an indoor marijuana grow. I did not find any illegal drugs in the bed or compartment.
- 18. I attempted to locate a drug detecting K9 to walk around the vehicle, but I could not find one that was available.
- 19. I did not search the passenger compartment of the Honda.
- 20. After searching the bed and compartment, I released the vehicle to ROSEEN.
- 21. I had no further contact with ROSEEN.