

2010/MAY/20/THU 13:11

KO CO PROSECUTOR

FAX No. 208-446-1833

P. 006/019

May. 13. 2010 2:15PM

Idaho State Police Patrol

No. 1515 P. 2

Incident Report IDAHO STATE POLICE

C10001022Supplement No
ORIG
 Reported Date
04/30/2010
 Nature of Call
TRAF STOP
 Officer
ASHBY, ALLEN B

Administrative Information									
Agency IDAHO STATE POLICE		Case No C10001022		Supplement No ORIG		Reported Date 04/30/2010		Reported Time 23:45	
CAD Call No 100022465		Status ARREST		Nature of Call TRAFFIC STOP			Location 3100 BLK IDAHO RD OFF UPRIVER		
County KOOTENAI COUNTY		Region CI		From Date 04/30/2010		From Time 23:45		Officer 3505/ASHBY, ALLEN B	
Assignment PATROL TROOPER REG 1		Entered by 3153		Assignment OFFICE SPECIALIST II REG 1		RMS Transfer Successful		Property? None	
Approving Officer 2668		Approval Date 05/07/2010		Approval Time 17:13:07					
Video Tape Yes									
Person Summary									
Invl ARR	Invl No 1	Type I	Name PRUCZINSKI, KAY LYNN			MNI 150707	Race U	Sex F	DOB 09/29/1962
Vehicle Summary									
Invl TOW	Type 	License No K425660	State ID	Lic Year 2011	Year 1991	Make GEO	Model STO	Style 	Color BLK
Summary Narrative									
DVD #211908									

On April 30, 2010, I, Trooper Allen Ashby, arrested Kay PRUCZINSKI for Resisting and Obstructing a Peace Officer after a traffic stop on her vehicle for various moving violations. PRUCZINSKI was transported to the Kootenai County Jail where she was cited and released to Jail Staff to be booked for the above offense.

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Incident Report

IDAHO STATE POLICE

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ORIG**ARRESTEE 1: PRUCZINSKI, KAY LYNN**

Involvement ARRESTEE	Invt No 1	Type Individual	Name PRUCZINSKI, KAY LYNN	MNI 150707	Race UNKNOWN
Sex FEMALE	DOB 09/29/1962	Age 47	Ethnicity NON HISPANIC	Juvenile? No	Height 5'03"
Weight 115#	Hair Color BROWN	Eye Color BROWN	Res Status RESIDENT		
OFN_INVL 1	RMS Transfer Empty field				

[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Involvement ARRESTED	Arrest Type ON VIEW (WITHOUT WARRANT)	Arrest Date 04/30/2010	Arrest Time 23:48:00	Status BOOKED (jailed)
Citation No 1456754	Armed UNARMED	Multi-arrests NOT APPLICABLE		
Charge 18 705	Level M	Charge Detail OBSTRUCTS/RESISTS PO		

Vehicle: K425660

Involvement TOWED	[REDACTED]				
VIN J81RF23	[REDACTED]				
Tow By ROHR TOWING	[REDACTED]				

Link DRV	Involvement ARR	Invt No 1	Name PRUCZINSKI, KAY LYNN	Race U	Sex F	DOB 09/29/1962
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Narrative

1. On April 30, 2010, at approximately 2345 hours, I was westbound on I-90 in the construction zone near milepost 2. The left hand lane of travel was closed and coned off for construction, and the speed limit was reduced to 45 mph.

2. I observed a black Geo Storm, bearing Idaho license plate #K425660, westbound in front of me in the right hand lane. The vehicle was weaving back and forth in its lane of travel. I followed the vehicle to Exit 299 in Washington where I observed it turn right and take the exit without using a turn signal. At the bottom of the off-ramp, the vehicle turned south on Spokane River Bridge Road. While turning south, the Geo swung wide and drove across the fog line and onto the shoulder.

3. I followed the vehicle southbound on Spokane River Bridge Road and observed it drift across the double yellow line. It then drifted into the oncoming lane of travel on three more occasions while navigating the corners of Spokane River Bridge Road, just prior to entering back into Idaho.

4. After turning onto North Idaho Road in Idaho, the vehicle sped up to 44 mph in the posted 35 mph zone per my same direction RADAR unit. I turned on my overhead lights, and the vehicle pulled to the shoulder and yielded in the 3100 block of North Idaho Road.

5. Approaching the vehicle on foot, I observed it had dark tinted windows. The driver's door window was rolled down approximately one inch, and I could not get a clear view into the vehicle because of the dark tint and window position. I could see the steering wheel of the vehicle, and

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Narrative

I could also see there were no hands on the steering wheel from my position near the left rear fender of the vehicle.

6.I therefore asked the driver, "Go ahead and put your hands on the steering wheel for me". The driver complied, and I approached the window. I observed the upper torso of a female seated in the driver's seat, and I also observed she was wearing sunglasses.

7.Because I still could not see into the vehicle clearly, I asked, "Can you shut your vehicle off for me, and can you roll your window down so I can talk to you?" The female responded, "I can hear you just fine".

8.From training and experience, as well as the time of the night on a Friday night, I knew the poor driving patterns I had observed were commonly exhibited by impaired drivers. Also, in nearly ten years of law enforcement experience on patrol, I have observed numerous alcohol-impaired drivers attempt to conceal the odor of alcoholic beverages in their car by not rolling down their windows on traffic stops. In addition, the driver's wearing sunglasses at night raised my suspicions that the driver did not wish for me to see her eyes.

9.For those reasons, as well as because I could not see clearly into the vehicle, I responded, "Okay, then go ahead and step out for me ma'am. I need your information". My intentions were to speak with the female outside of the vehicle where I could then see her movements more clearly, as well as investigate her sobriety by having her perform the Standardized Field Sobriety Evaluations.

10.The female, who I later identified from an Idaho Driver's License as Kay PRUCZINSKI after her arrest, said something about a female officer. I was not able to hear her through her window, and I repeated in a friendly tone, "Step out for me".

11.PRUCZINSKI replied, "You're going have to get a female officer here". She then rolled up her window. I called ISP's RCC for a cover unit and then said to PRUCZINSKI, "Ma'am. Ma'am, step out of the car". I also attempted to open the driver's door but it was locked. I shined my flashlight through the driver's window and could see PRUCZINSKI was holding a cellular phone to her left ear. She ignored my orders and stared straight ahead. I took out my asp and, without extending it, rapped the end of my asp against PRUCZINSKI's window three times to gain her attention. I also ordered to her in a loud voice, "Get out of the car" on three different occasions.

12.PRUCZINSKI immediately appeared hysterical and began yelling and screaming while inside the vehicle. She told me again, "I'm waiting for a female officer". At one point, she said words to the effect of, "What are you doing this to me for? You're scaring me". I responded, "Then give me your information and get out of the car. This is your last chance or you're under arrest".

13.PRUCZINSKI continued to yell, saying words to the effect of, "What are you doing this to me for? They just did this to me yesterday?". PRUCZINSKI also made no effort to step out of her vehicle. I repeated, "Ma'am get out of the car or you're under arrest. You don't have to do this, it's all in your hands. Get out of the car".

14.PRUCZINSKI responded by saying words to the effect of, "I thought you wanted my Driver's License, I'm waiting for a female". I could see PRUCZINSKI reaching to the right side of the

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vehicle, and I was unsure of what she was reaching for. Because I could not see into the car, I re-positioned myself in front of her driver door's "A" pillar and shined my flashlight through her windshield. From my new visual, I could see her reaching into a purse, and I was fearful she may be retrieving a weapon.

15.I ordered PRUCZINSKI again to get out of the car, but she refused and said, "I'm waiting for a female". PRUCZINSKI's actions from the onset of the traffic stop were not consistent with the innocent motoring public, and it was evident PRUCZINSKI would not remove herself from the vehicle. Because I feared her furtive movements may produce some sort of a weapon, I struck the driver's door window in a manner which I knew would shatter the glass. The glass broke, and I stated, "You're under arrest. You're under arrest, get out".

16.PRUCZINSKI still refused to move from the driver's seat and continued to yell at me. I secured her left arm by pulling it back against the "B" pillar of her vehicle. With my free hand, I reached in and unbuckled PRUCZINSKI's safety restraint. Because the door was locked, I could not open it, and I ordered her, "Unlock your door and get out! Get out!". PRUCZINSKI still made no effort to move, so I unlocked her door, opened it, and pulled on her left arm while saying, "Get out of the car; calm down. Put your hands behind your back".

17.PRUCZINSKI continued to scream at me and, once outside her vehicle, I secured her hands in handcuffs behind her back at the left rear portion of her vehicle. After checking the cuffs for tightness and double-locking them, I searched PRUCZINSKI's person and then placed her in the rear seat of my patrol vehicle.

18.While she was in the rear of my patrol vehicle, I asked PRUCZINSKI to calm down on a couple different occasions. I also advised her of her Miranda Rights. PRUCZINSKI agreed to speak with me and told me she was on her way home from work. Additionally, PRUCZINSKI told me she had been stopped by a police officer on Northwest Boulevard the day prior. PRUCZINSKI told me the officer had mistreated her and it had angered her. I located PRUCZINSKI's Idaho Driver's License in a checkbook while inventorying her vehicle.

19.Sergeant's Kevin White and Jonelle Greear arrived on scene a few minutes later, and I briefed them on the incident. I also photographed PRUCZINSKI's damaged window prior to transporting PRUCZINSKI to the Jail. After I cleared from the scene, Sergeant White finished inventorying PRUCZINSKI's vehicle prior to releasing it to Rohr Towing for safekeeping.

20.I transported PRUCZINSKI to the Kootenai County Jail where I then spoke with her for a few more minutes. While in the pre-booking room, PRUCZINSKI again expressed her outrage over a previous incident involving law enforcement on Northwest Boulevard. PRUCZINSKI denied consuming alcohol or taking any medication which would impair her ability to operate a motor vehicle. I did not see any recognizable clues when I had her perform the Horizontal Gaze Nystagmus test in the pre-booking area.

21.I cited and released PRUCZINSKI to be booked to Jail Staff for the crime of Resist/Obstruct a Peace Officer, a violation of I.C. 18-705.

22.Later in the evening, at approximately 0235 hours, I responded back to the Jail for an unrelated incident. While on scene, I observed PRUCZINSKI was in a holding cell. Jail Staff

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advised me PRUCZINSKI had become uncooperative and was placed in a holding cell for her own safety.



They asked me : If I were to die this weekend who would pick up my dead body?
I said the devil, very polietly and placed me in a very filthy cell - no blanket - no T.P nor no cup for water, I was also so so cold. The telephones there seemed like a trick, I had so much trouble to call for help.