

INCIDENT REPORT IDAHO STATE POLICE

B15-001234

ARRESTEE 1: DYLAN, John Robert

Nature of Call DRIVING UNDER THE INFLUENCE		Date 08/26/2015	Time 18:45 Hours	
Location HWY 16 @ Jackass Gulch Rd.	County GEM	Race WHITE	Sex MALE	Status ARREST
Charge 18-8004	Level MISDEMEANOR	Charge Literal DUI ALCOHOL/DRUGS		

VEHICLE: 1A 4325

License Type PASSENGER CAR	Year 1999	Make CHEVROLET	Model CAVALIER	Style 4 DOOR
VIN Number 1G1JC5244X7222771	Color GREEN	Tow By HOOK N' TOW		
Registered Owner DYLAN, JOHN ROBERT	Race WHITE	Sex MALE	DOB 06/28/1993	

PROPERTY

Item 1	Involvement EVIDENCE (Non-Drug Items)	Tag No 0700001473		
Description Blook Draw Kit	Type A	Category BLOOD/URINE SAMPLE		
Name DYLAN, JOHN ROBERT	Race WHITE	Sex MALE	DOB 06/28/1993	

SUMMARY NARRATIVE

On 8/26/2015, I conducted a traffic stop for reckless driving on State Highway 16 at the intersection of Jackass Gulch Road, Gem County, Idaho. I arrested the driver, John Robert Dylan for driving under the influence of alcohol and/or drugs and reckless driving. Dylan was booked into the Gem County Jail.

*No video for the stop. DVD system is inoperable.

INCIDENT REPORT IDAHO STATE POLICE

B15-001234

NARRATIVE

1. On 08/26/2015, at approximately 1754 hours, I, Trooper Stan Wojo, conducted a traffic stop for reckless driving on State Highway 16 at the intersection of Jackass Gulch Road, Gem County, Idaho. I observed a green Chevy passenger car travelling at speed of 72 MPH in a 65 MPH zone. The Chevy was traveling northbound nearing the intersection of Highway 16, Old Freeze Out Road and Jackass Gulch Road when it locked up its emergency brake and slide around 180 degrees facing Jackass Gulch Road. I observed two oncoming southbound vehicles applied hard braking and pulled to the side of the road for safety. I activated my emergency lights and conducted a traffic stop. The driver slowly corrected the Chevy so it was once again facing Northbound in the median of Highway 16 and Jackass Gulch Road. I noticed there was only one subject in the Chevy, a male.
2. I contacted the driver, later identified as John R. Dylan, and asked him if he was injured, or if there was an emergency. DYLAN said, "No, I'm fine." At the driver's window I was met with a strong combination of odors – among which I could detect the odor of burned and unburned marijuana. I noted the driver had a container of Easy Cheese spray in the center console and had some of this cheese stuck to his face. On the front passenger floorboard were grocery bags containing, among other items, two boxes of doughnuts, a box of cookies, and some sort of sliced meat. I explained to Dylan why I had stopped him.
3. He provided an Idaho Driver's License that identified him as John Robert Dylan (DOB: 6/28/93). I asked Dylan if he had consumed any alcohol. He said, "No." I asked Dylan to step out of the vehicle. He complied. I confirmed there was no odor of alcohol coming from his breath, but the odor of marijuana was still present as we continued to converse. Dylan agreed to try the field sobriety tests.
4. HORIZONTAL GAZE NYSTAGMUS: I observed lack of smooth pursuit in both of Dylan's eyes, but did not observe any other clues. Dylan had a difficult time continuing to focus on the stimulus and keeping his head still a few different times during the evaluation. His eyes were very bloodshot. Dylan scored 2 clues on this test.
5. WALK AND TURN: I explained and demonstrated the test to Dylan and asked him if he understood. Dylan said, "Yes." Dylan lost his balance twice during the instruction phase. During his first nine steps, he missed heel to toe on every step and walked like he was skipping his feet. Dylan scored two clues on this test. IN addition, Dylan exhibited leg tremors, and made very slow, labored movements throughout.

6. ONE LEG STAND: I explained and demonstrated the test to Dylan and asked him if he understood. He said, "yes." During the entire test Dylan hopped on several occasions. Dylan scored 1 clue on this test. Additionally, he started before instructed, exhibited leg tremors and lost his balance and staggered upon putting his foot down at the completion of the test.
7. I placed DYLAN under arrest for driving under the influence of alcohol and/or drugs. I applied handcuffs to his wrists and placed him in the backseat of my patrol vehicle. I secured Dylan with a seatbelt. I contacted Sgt. Fish who is a Drug Recognition Expert and requested his assistance. Trooper Miller arrived on scene and waited until Hook n' Tow arrived to tow Dylan's vehicle.
8. I transported Dylan to the Gem County Jail. At the jail I checked DYLAN's mouth for foreign objects and started the fifteen-minute observation. During the fifteen-minute observation I played the English audiotape of the notice of suspension advisory form. I also gave him a copy to follow along with. Upon completion of the observation period, I entered the required information in the Intoxilyzer 5000. DYLAN provided two breath samples into the Intoxilyzer 5000. The results were .000/.000.
9. Sgt. Fish arrived at the jail and administered a drug evaluation test. I assisted as his scribe. After the breath test Sgt. Fish read DYLAN his Miranda Warning rights and asked him if he understood them. DYLAN said yes and told us he would answer questions. Sgt. Fish conducted a drug recognition evaluation on DYLAN (see Sgt. Fish's report.) Upon completion Sgt. Fish advised me in his opinion he believed DYLAN was under the influence of cannabis. Dylan permitted the staff nurse to draw two vials of his blood, which was packaged in an approved blood kit for transport to the crime lab. I collected a blood sample from DYLAN and transferred the evidence into my custody. DYLAN was booked into the Gem County Jail for driving under the influence of alcohol and/or drugs and Reckless Driving. I had no further contact with DYLAN.
10. I took the evidence and placed it into evidence at the Region 3 patrol office. Blood results are pending.



STATE OF IDAHO

DRUG INFLUENCE EVALUATION

EVALUATOR: Phil K. Fish
 IACP#: 1982 ROLLING LOG#: 15-0601

REPORT NUMBER: B15-001234

SCRIBE: Officer Wojo

TYPE OF EVALUATION: Enforcement/

WITNESS: Officer Wojo

ARRESTEE'S NAME (Last, First, Middle): **Dylan, John Robert**
 Date of Birth: 6/28/93 Age: 22 Sex: M Race: W
 Arresting Officer (Name, ID#): Stan Wojo (#012)

Date Examined / Time / Location: 8/26/15/1950/PCSO
 Breath Results: 0.00/0.00 Test Refused
 Instrument #: **Intoxilyzer 5000** Chemical Test: Urine Blood
 Test or tests refused

Miranda Warning Given: Yes No
 Given By: Wojo & Fish
 What have you eaten today? When? **Donuts, Ramen/1-2 hours ago**
 What have you been drinking? How much? **Mountain Dew/ 3 or 4 cans**
 Time of last drink? **2 hours ago**

Time now/ Actual: 1700/2000
 When did you last sleep? How long: 08/25/0800 -- 10 hours
 Are you sick or injured? Yes No
 Are you diabetic or epileptic? Yes No

Do you take insulin? Yes No
 Do you have any physical defects? Yes No
 Are you under the care of a doctor or dentist? Yes No

Are you taking any medication or drugs? Yes No
 Attitude: **Cooperative/ N/A/**
 Coordination: **Poor/N/A/**

Speech: **Normal/N/A/**
 Breath Odor: **Normal/N/A/**
 Face: **Flushed/Red cheeks**

Corrective Lenses: None
 Glasses Contacts, if so Hard Soft
 Eyes: Reddened Conjunctiva
 Normal Bloodshot Watery
 Blindness: None Left Right
 Tracking: Equal Unequal

Pupil Size: Equal
 Unequal (explain)
 Vertical Nystagmus: Yes No
 Able to follow stimulus: Yes No
 Eyelids: Normal Droopy

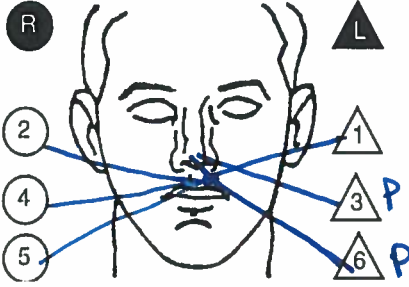
Pulse and time	HGN	Right Eye	Left Eye	Convergence Right eye Left eye	ONE LEG STAND
1. 70 / 2003	Lack of Smooth Pursuit	Present	Present		 L R <input type="checkbox"/> <input type="checkbox"/> Sways while balancing <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Uses arms to balance <input type="checkbox"/> <input type="checkbox"/> Hopping <input type="checkbox"/> <input type="checkbox"/> Puts foot down Arms raised throughout Left Count: 1026 Right Count: 1025
2. 70 / 2013	Maximum Deviation	Present	Present		
3. 72 / 2025	Angle of Onset	None	None		

Rhomberg Balance:
 Walk and turn test:
 Cannot keep balance: _____
 Starts too soon: _____
 Stops walking: _____
 Misses heel-toe: _____
 Steps off line: _____
 Raises arms: **IIIIIIII** **IIIIIIII**
 Actual steps taken: **9** **9**

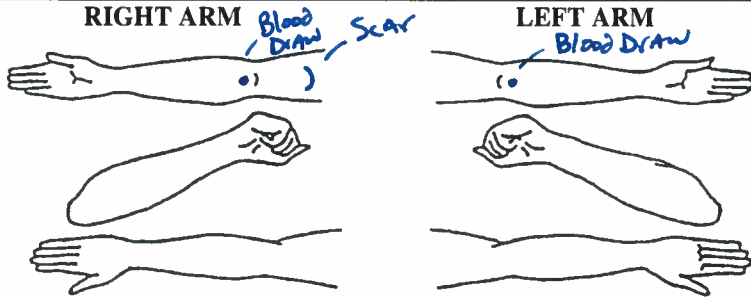
Internal clock: 27 estimated as 30 seconds
 Describe Turn: _____
 Cannot do test (explain): _____
 Type of footwear: **Tennis Shoes**

Draw lines to spots touched

PUPIL SIZE	Room light	Darkness	Direct
Left Eye	4.0	9.0	4.0-6.0
Right Eye	4.0	9.0	4.0-6.0



HIPPUS: Yes No
 REBOUND DILATION: Yes No
 REACTION TO LIGHT: **Slow/**



Blood pressure: **05/65**
 Temperature: **98.3°**

Muscle tone: Normal Flaccid Rigid
 Comments: _____

What drugs or medications have you been using? **Marijuana**
 How much? **5-6 hits pipe**
 Time of use? **1800-1830**
 Where were the drugs used? (Location) **Firebird Raceway**

Date / Time of arrest: **8/26/15/1845**
 Time DRE was notified: **1845**
 Evaluation start time: **1950**
 Evaluation completion time: **2030**
 Precinct/Station: **Gem County Detention Facility**

Opinion of Evaluator: Depressant Hallucinogen Narcotic Analgesic Cannabis Medical Rule Out
 Stimulant PCP Inhalant Alcohol No Opinion

Officer's Signature:
 Felony Offense: **N/A/**
 Misdemeanor Offense: **DUI/Reckless Driving**
 Reviewed/approved by / date: **SK / 9/4/2015**



IDAHO STATE POLICE DRUG INFLUENCE NARRATIVE

Date:	08/26/2015	DR Number:	55-00-5555
Officer's Name:	Phil K. Fish	Citation Number:	B15-001234
Officer's Serial Number:	1975	Suspect Name:	John Robert Dylan
IACP Number:	1982	Date of Birth:	06/28/1993

1. Location:

On August 26, 2015 at 1950 hours, a drug influence evaluation was conducted on John R. Dylan while at the Gem County Detention Facility. The facility is well lit and has level smooth surface floors. The climate is controlled.

2. Witnesses:

Certified D.R.E./ Instructor: Phil K. Fish
Evaluator: Phil Fish
Scribe: Stan Wojo
Observer: Stan Wojo

3. Breath Test:

A breath test was conducted at 1835 hours, on instrument #00-1342 with a result of 0.00/0.00.

4. Notification and Interview of Arresting Officer:

On August 26, 2015 at approximately 1845 hours, I was contacted by Officer Stan Wojo. He stated he had a vehicle stopped and suspected the driver was under the influence. Officer Wojo informed me that he had stopped the car for excessive speed and driving in a reckless manner. Officer Wojo said he had observed the vehicle lock up its emergency brake and slide around 180 degrees. Upon contact with the driver, Officer Wojo noticed the strong odor of both burned and unburned marijuana being emitted from the passenger compartment of the vehicle. Wojo noticed the driver, John Dylan, had trembling hands. Officer Wojo conducted Standardized Field Sobriety Tests on John Dylan. He noticed two clues on the Horizontal Gaze Nystagmus test. He also noticed two clues on the Walk and Turn and One Clue on the One Leg Stand.

5. Initial Observation of the Suspect:

I made contact with John Dylan at the Gem County Detention Facility at approximately 1950 hours. I noticed Dylan's cheeks were red and his eyes had a noticeable reddening of the conjunctiva. He appeared to be clam and was cooperative. He was wearing short, tennis shoes, and a sweatshirt.

6. Medical Problems and Treatment:

John Dylan claimed no medical problems and stated he was not under the care of a doctor or dentist. No visible signs of any recent injuries were visible.

7. Psychophysical Tests:

- A) Rhomberg modified: Dylan estimated the passage of 30 seconds in 27 seconds. He stated he counted to 1026 because of the time that it took him to perform the One Leg Stand. I noticed he had approximately two inches of side to side sway throughout the test. I also noticed distinct eyelid and body tremors during the test. These types of tremors are consistent with cannabis usage.
- B) Walk and turn: During this test, Dylan had his arms raised from his side during the entire test. He stepped off the line of his first step and missed heel-toe on step four of his second nine steps. Dylan scored three out of a possible eight clues on the Walk and Turn test.
- C) One leg stand (left leg): During the One Leg Stand on his left leg, Dylan kept his arms raised throughout the entire test. He counted to 1026 during the test. I noticed one out of four clues on the One Leg Stand for the left leg.
- D) One leg stand (right leg): During the One Leg Stand on his right leg, Dylan kept his arms raised throughout the entire test. He counted to 1025 during the test. I noticed one out of four clues on the One Leg Stand for the right leg.
- E) Finger to nose: During the Finger to Nose test, I noticed eyelid tremors.
 - 1. First Left: He touched below his left nostril with the tip of his finger.
 - 2. First Right: He touched below his left nostril with the tip of his finger.
 - 3. Second Left: He touched the tip of his nose with the pad of his finger instead of the tip as instructed.
 - 4. Second Right: He touched below his left nostril with the tip of his finger.
 - 5. Third Right: He touched below his left nostril with the tip of his finger.
 - 6. Third Left: He touched the tip of his nose with the pad of his finger instead of the tip as instructed.

8. Clinical Indicators:

HGN: Present I noticed both lack of smooth pursuit and distinct and sustained nystagmus at maximum deviation in both eyes. I did not see an angle of onset prior to 45 degrees.

Vertical Nystagmus: None

Lack of Convergence: Present Both of Dylan's eyes came together, then his left eye spon out and did not remain crossed. This is an indicator of cannabis usage.

Body Temperature: Normal Range 98.3 degrees

Blood Pressure: Below Normal 105/65

Pulse: Normal Range 70 @ 2003 hours, 70 @ 2013 hours, and 72 @ 2025 hours.

Pupil Size: Dilated Room Light: Left Eye: 4.0; Right Eye 4.0

Near Total Darkness: Left Eye: 9.0: Right Eye 9.0

Direct Light: Left Eye: 4.0-6.0 Right Eye: 4.0-6.0

Normal pupil size for the lighting conditions is as follows:

Room Light: 2.5-5.0; Near Total Darkness: 5.0-8.5; Direct Light 2.0-4.5

Reaction to Light: Slow

Hippus: None

Rebound Dilation: Present Dylan's pupils constricted slowly to 4.0 mm. His pupils then began to rebound to a measurement of 6.0 mm. Rebound dilation is consistent with cannabis usage.

9. Signs of Ingestion:

John Dylan had a green tint present on his tongue.

10. Suspect's Statements:

John Dylan stated he had smoked approximately five or six hits off a marijuana pipe. He stated he had smoked the marijuana at approximately 6:00 or 6:30. He said he had been the passenger in the car when he smoked the marijuana. He had smoked it on the same road he had been stopped by Officer Wojo on and had smoked it just prior to being stopped by Officer Wojo.

11. DRE's Opinion:

It is my opinion as a certified DRE that John Robert Dylan is under the influence of cannabis, and is not able to operate a vehicle safely.

12. Toxicological Sample:

A blood was collected at 1915 hours by Officer Wojo.

13. Miscellaneous:

John Dylan had a poor perception of time. When asked what time it was, he stated it was "5 o'clock." The actual time was 8:00 PM. He also did not appear to be nervous through the entire evaluation, even though he knew he was going to be charged with a DUI. Cannabis usage lowers inhibitions in users and causes them to have a carefree attitude. A baggie of marijuana, along with a grinder, glass pipe, and scale was found in the care upon a search incident to arrest.

**Forensic Science Division
Idaho State Police
State of Idaho**

Stan Wojo
ISP District #3
Meridian, ID 83642

Lab Case No.: FSD-10-0012XX

SUBJECT: Dylan, John Robert

CC:
Phil Fish

TOXICOLOGY DRUG SCREEN

Evidence:
The laboratory received the following evidence for analysis.

<u>Item</u>	
01	DUI KIT – Dylan, John R.

ALCOHOL RESULTS:

ETHANOL – NONE DETECTED	ANALYSIS OF SUBMITTED BLOOD SAMPLE
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DRUG CONFIRMATIONS:

CAFFEINE	DETECTED IN BLOOD
THC – delta 9-tetrahydrocannabinol	12 ng/mL (+/-1.5 ng/mL)
THC – COOH	DETECTED IN BLOOD AT A LEVEL GREATER THAN 100 ng/mL (THC-COOH IS AN INACTIVE METABOLITE OF THC)

Date of Report: 09/20/2015



R. Quincy
Chief Forensic Toxicologist/Lab Supervisor

Comment : The signor (author) of this report, may or may not be, the individual(s)/person(s) needed to testify to the results contained in this report. Please call or email the following individuals to determine who needs to be subpoenaed: Office: (208) 555-5555 or r.quincy@isp.idaho.gov.