

PRE-BOOKING INFORMATION SHEET

KOOTENAI COUNTY PUBLIC SAFETY BUILDING

Booking # _____

Name ID # _____ Date 6-27-10

ARRESTEE:

Name: Ovard Michael Lindsay
Last, First, Middle, Suffix (Jr, Sr, Etc.)

AKA None

Address 3016 N Gout way #27

City COA State ID Zip 83815

Home Phone _____ SS# _____

City/State of Birth Salt Lake City, UT DOB _____ Employer None

D.L. # _____ State ID Occupation None Work Phone # None

PHYSICAL DESCRIPTION:

Height 6' 2" Weight 175 Sex M Hair Gray Eyes Hazel

Race whi Glasses yes Contacts none Facial Hair Goatee

Scars, Marks, Tattoo's neck wave, shark, Rt Arm sleeves - wrist to shoulder includes skull, spiderweb 1st Arm sleeve wrist to shoulder spider web, web left thumb cloud, back "Celebrate recovery, skull"

Clothing Description Brown shorts, Red t shirt, sandals

ARRESTING OFFICER INFORMATION:

Date / Time of Arrest 6-27-10 1 1324 Location 3020 N Gout way Dist 83

Arresting Officer Knoll # K22 Agency COAPD Arrival at PSB 1347

CHARGES AND BAIL:

ARREST TYPE: ON VIEW WARRANT CITIZEN OTHER

M/F	Code	Charges	Bail	Sentence	Warrant or Case #
1 M	18-8004	DUI First offense	\$500.00		
2					
3					
4					
5					
6					

Is the arresting officer aware of any mental or physical conditions this inmate may have which might affect his/her safety or ability to be held without special attention by jail staff? No Yes (Explain) seragual mood stabilizer

Did the arrestee arrive with prescription medication? No Yes

VEHICLE INFORMATION:

Vehicle Lic. _____ ST ID YR 97 Make Niss Model Truck Body - Color(s) Red

Vehicle Disposition Towed by schaffers Towing

CITIZEN ARREST: I hereby arrest the above named suspect on the charge(s) indicated and request a peace officer to take him/her into custody. I will appear as directed and sign a complaint against the person I have arrested.

Arresting Person Signature		Address			Phone #
Arresting Person Name (Printed)		Race	Sex	DOB	Employer
Officer	ID #	Approved By	ID #	Date	

VICTIMS RIGHTS INFORMATION:

Name	Code	Mult. Victims		Address:	Phone:
		Yes	No		
Occupation	Race/Sex	Age	DOB	Business Address	Bus. Phone:



Coeur d'Alene Police

Report for CDA Incident 10C17574

Nature: DUI

Address: E ANTON AVE & N GOVERN-
MENT WAY
COEUR D'ALENE ID 83814

Location: 83

Offense Codes: NC

Received By: D.WILSON

How Received: 9

Agency: CDA

Responding Officers:

Responsible Officers: N.KNOLL

Disposition: ACT 06/27/10

When Reported: 13:04:25 06/27/10

Occurred Between: 13:00:34 06/27/10 and 13:04:59 06/27/10

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: NC Not Classified

Observed:

Additional Offense: NC Not Classified

Circumstances

Responding Officers:

Unit :

A.SPEER

K65

N.KNOLL

K66

A.KNISLEY

K82

S.AVRIETT

K32

Responsible Officer: N.KNOLL

Agency: CDA

Received By: D.WILSON

Last Radio Log: **:**:** **/**/**

How Received: 9 911 Line

Clearance: 1 ARREST REPORT TAKEN

When Reported: 13:04:25 06/27/10

Disposition: ACT **Date:** 06/27/10

Judicial Status:

Occurred between: 13:00:34 06/27/10

Misc Entry:

and: 13:04:59 06/27/10

Modus Operandi:

Description :

Method :

D

DRUGS/LIQUOR

D38

LT

LOCATION TYPE

LT13 HWY/

RD/ALLEY

Involvements

Date	Type	Description	
06/27/10	Name	OVARD, MICHAEL LINDSAY	OFFENDER
06/27/10	Vehicle	RED 1997 NISS TRUCK ID	OFFENDER VEHICLE
06/27/10	Cad Call	13:04:25 06/27/10 ACCIDENT INJURY	Initiating Call

Narrative

OFFICER: Knoll K-66

MISDEMEANOR

CRIME: DUI First Offense

CODE: 18-8004

ADDITIONAL CHARGES:

NARRATIVE:

I was working the Ironman event on my police motorcycle and was asked to respond to Government Way south of Neider reference a possible crash involving a vehicle and bicyclist. The people involved in the crash were in the parking lot of 3020 N Government Way. I saw two Ironman athletes looking at a bike. There was another man, identified as Ovard, standing next to them holding a license, registration and insurance. Ovard told me he was driving the vehicle that struck the bicyclist. The bicyclist requested medical attention because his vision was a little blurry and his legs were scrapped up.

I immediately noticed that Ovard was swaying greatly in a circular motion while standing. He appeared very unsteady on his feet. Ovard handed me his papers. He began going through his wallet. I didn't know what he was looking for since he provided all the necessary paperwork. I noticed that his movements were very slow and he had a difficult time removing items and returning them to his wallet. The items kept slipping from his fingers. I asked Ovard what happened. He told me he was S/B on Government Way and was trying to turn into the parking lot of 3020 N Government Way. He didn't see the bicyclist until he struck him. I asked if he saw the no left turn sign. He said, "I saw it farther down the road but didn't think it applied here." His speech was very slurred as he spoke. I asked him how much he had to drink. He told me that he hadn't had any alcohol to drink. I asked what kind of medications he takes. He told me that he took Seraquil, Zoloft, and Wellbutrin this morning.

Ovard rated his health as an 8 on a scale of 1 to 10, 10 being the healthiest. He doesn't have any problems with his ankles, knees, legs or back. He takes Seraquil, Zoloft, and Wellbutrin for depression and mood stabilization.

He hasn't had any recent head injuries. He was wearing glasses. I asked if he has trouble seeing things far away or up close without his glasses. He said, "Yeah." He removed his glasses for HGN and put them back on for the Walk and Turn and One Leg Stand. Ovard has steadying himself against his truck with his right hand while speaking with me. SFST's were performed on a level surface without any obstructions.

SFST's:

HGN- 6 Points. Lack of smooth pursuit in both eyes. Nystagmus at Maximum Deviation in both eyes. Nystagmus (Immediate onset) prior to 45 degrees in both eyes. Ovard swayed severely during the evaluation and was extremely unsteady on his feet. He had to step back twice to regain his balance and keep from

Report for CDA Incident 10C17574

falling. He moved his head and looked away constantly.

Walk and Turn- 7 Points. Ovard began the test 10 times while being placed on the line for instructions. He didn't appear to be able to stand with his feet in a straight line. He stepped off the line approx 10 times while trying to properly place him on the line. After approx 3 to 4 minutes of trying to unsuccessfully place Ovard on the line, I told him to just stand with his feet touching side to side. He had a difficult time even standing that way. After getting through the instructions and asking Ovard if he understood I told him to begin. He stepped off the line on steps 1,2,4,6 and 7. He missed touching heel to toe on steps 3,5,8,10,12 and 14. He stopped at step 14 and asked if he was supposed to turn. I told him to do the evaluation as I instructed. He continued walking down the line. I finally stopped the evaluation after Ovard's 55th step. He stepped off the line for every step between 14 and 55. Because I stopped the test Ovard didn't turn around and come back down the line. He held his arms out from his side on every step for balance. He didn't count his steps out loud.

One Leg Stand- 3 Points. He swayed significantly during the evaluation. He held his arms out from his side to try and maintain his balance the entire time. He put his foot down 9 times during the evaluation. He raised his left foot ~~for the test. He didn't count out loud, watch his foot, or keep his legs straight.~~

Ovard was placed under arrest for DUI. Officer Knisley arrived to transport Ovard to the jail. I didn't think Ovard was going to blow over the legal limit so I went downtown to retrieve my DRE bag from my patrol car and then responded to the jail. Officer Knisley left once I arrived at the jail. I read Ovard the ALS. He told me he understood the form and didn't have any questions. I checked him mouth and observed him for 15 minutes. I explained how to provide a breath sample. Ovard would only pretend to blow into the instrument. I told him to blow into the instrument. He would only give short 1 to 3 second breaths. He provided a sample of .00/deficient. I restarted the instrument. I explained how to provide a breath sample again and told him that if he continued to play games with the instrument I was going to count it as a refusal. He told me he would provide a proper sample. He took a deep breath in and then held the tube in his mouth without blowing for approx 10 seconds. I told him to blow. He again gave very short samples. He finally provided a result of .00/.00.

I told Ovard his results and that I was going to do a DRE Evaluation and request a Urine Sample. I told him that it appeared he was impaired by drugs. He said, "I'm not taking any illegal drugs." I told him that I was concerned he was impaired by prescription medications. He told me that he wasn't going to cooperate with any more tests. I asked him why he was refusing. He said, "I don't see a reason to do anymore." I told Ovard that the Ironman athlete he hit had probably been training at least a year for today and probably wasn't going to be able to finish the race because of his actions and now it appeared all he cared about was saving his own skin. He said, "Pretty much."

I read Ovard his Miranda Rights from my pocket card. He told me that he understood his Rights and didn't have any questions. I asked him about the crash. He told me that he was S/B on Government Way and wanted to make a left turn. He continued, "It was posted no left turn but the bikes looked far away. They were going a lot faster than I thought. It was stupid on my part because the cones were there and it means don't turn." I asked him how much he had to drink. He told me that he drank two Gins between 1145 and 1300. I said, "Everyone has two drinks." He said, "I only had two but they were large

Report for CDA Incident 10C17574

glasses. They weren't cocktail glasses they were the big ones. He took the following medications around 11:00 am: Seraquil 300mg, Zantac 150mg, Depocote 175 mg, and Prevocet. I asked if he read the warning on his medication not to mix it with alcohol. He said, "Oh yeah. I asked if he noticed the label warning about operating machinery after taking the medication. He said, "I saw it before." I asked why he would drive after mixing his medication with alcohol. He said, "I put it in drive and thought it would be ok." I asked if he was wearing his seatbelt when he crashed. He said, "Yeah I always wear it. I make my passengers wear them too. I won't drive is someone isn't buckled up."

I told him that he seemed pretty safety conscious about driving. He said, "Oh yeah. I always wear my seatbelt and drive under the speed limit." I asked why he would drive after mixing alcohol and his prescription medication if he was such a safe driver. He said, "I know. It doesn't make any sense at all." I asked Ovard how often he drives in this condition. He said, "If I drink I normally stay at home." I said, "They say the average drunk driver drives impaired about 80 times a year. He said, "That might be about right."

BL K47

Approved By

00/28/10

Date

Vehicles

Vehicle Number:

10-06725

License Plate: [REDACTED]

State: ID

Vehicle Year: 1997

Make: NISS Nissan

Color: RED /

Vehicle Type: PTK Passenger Truck

License Type: PC Regular Passenger Automobile

Expires: **/**/**

VIN:

Model: TRUCK

Doors: 2

Value: \$1,000.00

Owner:

Last: OVARD

First: MICHAEL

Mid: LINDSAY

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: 3016 N GOVERNMENT WAY;
#27

Race: W

Sex: M

Phone: [REDACTED]

City: COEUR D'ALENE, ID 83814

Agency: CDA COEUR D'ALENE POLICE

Date Recov/Revd: **/**/**

DEPT

Officer: N.KNOLL

Area:

UCR Status:

Wrecker Service:

Local Status:

Status Date: **/**/**

Comments:

Name Involvements:

OFFENDER : 313766

Last: OVARD

DOB: [REDACTED]

Race: W

Sex: M

First: MICHAEL

Dr Lic: [REDACTED]

Phone: [REDACTED]

Storage Location:

Release Date: **/**/**

Mid: LINDSAY

Address: 3016 N GOVERNMENT WAY;
#27

City: COEUR D'ALENE, ID 83814

06/27/2010
17:45

Coeur d'Alene Police
Law Supplemental Narrative:

607
Page: 1

Incident Number: 10C17574 Name: A.SPEER
Sequence Number: 1 Date: 17:36:14 06/27/2010
Narrative
(See below)

=====

Narrative:

A. Speer K-65
06-27-10
DUI/Accident
Report #10C17574

I was stationed at Gov't Way and Neider Ave for the bike portion of Ironman. I was notified by several n/b Ironman rider's that a competitor had been hit south of my location. I notified Sgt. Brainard and started to the location on foot. I located the rider at 3620 Gov't Way on the east side of the roadway.

Officer Knoll arrived on scene and performed FST's on the driver of the pickup that hit the bike.

I verbally identified the bike rider as Dean L. Kesler [REDACTED]. Kesler stated he was n/b on Gov't Way in the designated Ironman lane. Kesler said the pickup was s/b on Gov't Way and turned left directly in front of him. Kesler was hit with the front bumper of the pickup and thrown to the ground. Kesler estimated the damage to his bike at approx \$3,000.00. Kesler sustained abrasions to his left leg where he was hit by the vehicle, and abrasions to his right leg and right shoulder from hitting the ground. Kesler was checked by medical personnel and continued back into the race.

06/28/2010
08:57

Coeur d'Alene Police
Law Supplemental Narrative:

616
Page: 1

Incident Number: 10C17574 Name: W.MCLEOD
Sequence Number: 2 Date: 17:51:52 06/27/2010
Narrative
(See below)

=====

Narrative:

WITNESSES:

Joanne Mendive

[REDACTED]

Ernie Blevins

[REDACTED]

Gale McCalmant

[REDACTED]

NARRATIVE:

On Sunday, 06/27/10, I responded to the 3100 block of Government Way for a reported accident involving an Ironman competitor. Officers Speer and Knoll were already on scene prior to my arrival and they were speaking with the two people involved in the accident.

I spoke to the witnesses who were now standing across the street from the accident scene. They were originally about a half a block North, at the corner of Government Way and Cosgrove, watching the Ironman, when the accident occurred.

Mendive said she only heard the accident happen. The sound was either the impact happening or the competitors bicycle skidding across the street. She looked towards the sound and saw the defendant's vehicle, a red truck, stopped in the middle of the roadway facing East/West. (Government Way is North/South street and the defendant's vehicle was blocking the two inside lanes which were being used by the bicycle competitors).

Blevins was taking photographs of the Ironman and only heard the accident. He did not have any additional information to provide.

McCalmant said he saw the defendant driving S/B on Government Way at a slow speed. At first he thought the defendant was going to try and stop and talk to him, Blevins and Mendive, but he continued driving a short distance before

making a left turn and hitting the bicyclist.
