



ARIZONA DEPARTMENT OF PUBLIC SAFETY  
CONTINUATION/SUPPLEMENTAL REPORT

REPORT NUMBER: 2004-033436

Entry (C)out (S)uppl.	Officer Name	IID No.	Location Code
C	Stephen Robson	5763	21020500
Supervisor Name	Date	Pending (Yes/No)	Closed by (Agent/Officer)
Sgt. R. Smart #4014	3/31/2004	N	O

*Introduction/Qualifications:*

I, Officer Stephen Robson, have been a Peace Officer since December of 1998. I have worked in various police environments beginning in 1998 where I began my work as a Correctional Officer at a high security prison in Winslow, AZ. I received training at the Federal Law Enforcement Training Center (FLETC) in May of 1999-September of 1999 and began work as a Federal Agent with the US Border Patrol. In March of 2000 I transferred to the Arizona Department of Public Safety and began working for the Highway Patrol Division.

I am currently assigned to the Highway Patrol in Flagstaff, AZ where I work primarily focusing on DUI and Drug Enforcement. I have received over 140 hours of training in drug interdiction and use and am a nationally certified Drug Recognition Expert. I have also received Federal and Arizona State Officer Safety Training and tactics as recently as October of 2003.

In my career as a Peace Officer I have made over 500 arrests, and conducted over 6000 traffic stops. Over 20% of my arrests have been for Felony drug violations. I have personally seized over \$45,000 cash from Drug interdiction arrests and confiscated over \$100,000 worth of illegal drugs.

*Traffic Stop of Steve Gartin:*

Interstate 40, which originates in southern California, is a known drug smuggling route. The Flagstaff District of the Arizona Department of Public Safety seizes over 5000 pounds of Marijuana annually mostly on Interstate 40.

On November 17, 2003, at about 1218 hours, I was stationary at milepost 203 on I-40. I was monitoring traffic and observed a red sedan traveling at 72mph in the posted 65mph zone. The sedan had 3 occupants and a Colorado license plate.

I stopped the vehicle by activating my emergency lights after catching up to the sedan at milepost 205 eastbound. For the first 6 minutes (see dispatch tape) of the traffic stop, I was the only vehicle on scene. I "never" removed any weapon from my gun belt and approached the vehicle as a routine traffic stop. I contacted the driver, Steve Gartin, via the opened passenger's side window and politely asked for his driver's license. I also asked the passenger's for their identifications which they willingly provided to me.

As I do on almost all of my traffic stops, I asked the driver, Steve Gartin, to exit and come back to my patrol vehicle. This is done for several reasons. For one, most Police Officers are killed approaching vehicles, one way to avoid this is to have the driver come back to your patrol vehicle so that you only have to approach the vehicle one time on a routine traffic stop. Secondly, it is easier to talk with a subject while he his standing at your patrol vehicle



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as opposed to seated in a car on a busy Interstate.

Gartin came back to my patrol vehicle and I spoke with him briefly there. I conducted routine license and registration checks on all of the occupants at that time. Gartin's demeanor was fairly calm, and I was alone during this time. Gartin told me that he was coming from California and heading home to Colorado. He said that in the vehicle were several martial arts companions of his. Although this revelation peaked my interest, I was not alarmed at this point.

A wants/warrants check on the rear seat passenger returned a Felony warrant out for his arrest at 1224 hours. At this point, I asked Gartin to re-seat himself in the driver's seat. I then walked to the passenger's side rear door and opened it. I asked the passenger to exit the vehicle and then arrested him for the warrant by placing him into handcuffs and in the rear seat of my patrol vehicle.

At this time, Officers M. Craft and J. Tarr arrived on scene to assist (see dispatch tape). The Officers merely stood by my vehicle for security watching Gartin and the passenger's as I searched the vehicle. The Officers never drew any weapon from their respective gun belts nor acted in a threatening way. The Officers left the scene at 1258 hours.

I then asked Gartin and the front seat passenger to exit and to stand or sit on the shoulder area. Gartin and the front seat passenger stood and sat at their leisure on the dirt shoulder area. They were never arrested as a result of this incident.

I briefly searched the vehicle's passenger compartment finding baggies of Marijuana in the front driver's area and in the center console. I also found a pipe and rolling papers in the center console. These items were seized and packaged as evidence.

I questioned Gartin (who was never detained by any restraint system) about the drugs at the scene. Gartin said that he was not aware of any drugs. He said that he did not use drugs. He repeatedly denied any knowledge of any illegal items in his vehicle. Nevertheless, Steve Gartin was cited for possession of marijuana and drug paraphernalia due to his location and relative distance from the drugs, and that he was the registered owner of the vehicle.

The rear seat passenger was later released due to the fact that Colorado authorities would not extradite him from Arizona to Colorado.

*Allegations:*

Gartin makes several allegations about this traffic stop that I can prove false. I offer dispatch tapes and policy information as some of my evidence to disprove Gartin.

1. Gartin falsely alleges that Gartin's automobile was "surrounded."

To disprove this I offer a dispatch tape showing that only 1 Officer made the traffic stop and the other Officers that arrived later were occupied at the time. Officers in my District are required to "call in" all location changes and traffic stops.

My call sign is 257, on the tape I am heard calling in the traffic stop at 1218 hours. Officer Craft #248 (one of the Officers to later show up on scene) is heard finishing a traffic stop 2 miles away at 1220 hours



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therefore he could not have been on scene at 1218 hours. At 1224 hours, Officers Craft and Tarr #244 arrive on scene a full 6 minutes after the stop and only because of the fact that the passenger has a Felony Warrant, a potentially dangerous situation especially when 3 occupants are on scene to only 1 Officer. This information proves that only I made the traffic stop and I was on scene alone for at least 6 minutes.

2. Gartin falsely alleges that Officers had guns drawn:

At no time did myself, or any Officer on scene ever draw a gun, baton, pepper spray, or any other weapon during this traffic stop. Even when the Felony warrant on the passenger was revealed, the situation was handled with courteous vigilance. Officers with guns drawn are required to call the situation in. As you can hear on the tape, no gun is ever drawn.

3. Gartin falsely alleges that his occupants were handcuffed, intimidated, "physically punished."

The rear seat passenger was handcuffed for safety as is standard procedure with a felony warrant. At NO time was any person in the vehicle physically assaulted or intimidated in any manner. In 5 years as a Peace Officer I have never received any complaint for anything minor such as "discourteousness" or anything major such as "assault." I offer my personal record showing no complaints against me, and only numerous commendations and complimentary letters including "2002 Officer of the Year Award," as proof that this allegation is FALSE.

4. Gartin falsely alleges that his vehicle was "ransacked:"

Gartin vehicle was searched, and after illegal drugs were found, was searched thoroughly. Items that were not illegal contraband were placed back in their original position and inspected by the responsible party's prior to the end of the traffic stop. This is a routine procedure that me, and every Arizona Highway Patrolman is instructed to follow and follows with vigilance.

5. Gartin falsely alleges that the 62 year old passenger fell and feared for his life:

I again repeat that no person ever drew any weapon of any kind from 1218 when the traffic stop began, until 1300 when it concluded. Gartin and his passenger were advised that they could stand or sit on the "dirt," shoulder area during the time I was searching the vehicle.

6. Gartin falsely alleges that a statement was made about a fool and a gun fight:

This statement was never stated by me or any Officer on scene. We are instructed and taught to practice courteous vigilance at all times. This statement is not a sign of courteous vigilance.

7. Gartin falsely claims that he was "harassed" because of a NCIC hit on his name:

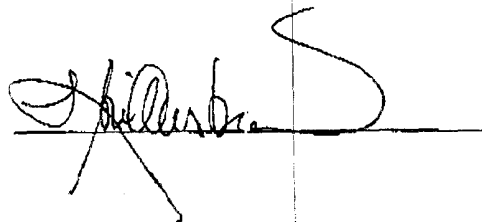
At no time during this traffic stop did I ever receive information of a "caution hit" for Mr. Gartin. I again offer the dispatch tape as proof. The only hit received on any person was the Felony warrant on the passenger.

Officer Stephen Robson #5763

3/31/2004

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within People's Response to Allegations Contained in Defendant's Motion for Forgiveness and Petition to Seal upon all parties herein by faxing a copy of the same to Attorney Thomas Miller at (720) 565-3785

A handwritten signature in black ink, appearing to read "Thomas Miller", is written over a horizontal line. The signature is stylized and cursive.