

INCIDENT REPORT CONTINUED

AGENCY: Black Diamond Police Department				Incident Classification: VUCSA				Report No.: 08-00059					
Vehicles													
Code	Stolen Stored Evidence	Impound Abandoned Seized	Victim Suspect Maid	Recovered	License No.	License State	License Year	License Type	VIN/IDV				
V-1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	778LSP	WA	01/2008	Passenger Car	Jhmab522xec009030				
Year	Make	Model	Body Style	Color	Special Features/Description								
1984	Honda	Pro	2 Door	Silver/Alum	Nothing of value left in vehicle								
Registered Owner Name: Philpot, Laura K									Home Phone		Ext.		
Vehicle Disposition		Registered Owner's Address, City, State, ZIP							Value \$				
<input type="checkbox"/> Left at Scene <input type="checkbox"/> Driven Away		<input checked="" type="checkbox"/> Towed		21621 SE 255th PL, Maple Valley, WA 98038									
Locked	Keys in Vehicle	Delinquent Payment	Victim Consent	Driveable	Estimated Damage	Damage		Shade II		Damaged Area			
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Window <input type="checkbox"/> Top	<input type="checkbox"/> Interior <input type="checkbox"/> Underseat	1 2 3 4 5 6 7 8 9 10					
Tow Company				Hold Requested By:				Hold For					
Released Info	Date	Time	Release No.	Releasing Authority			Compl. Received	Date	Time	Operator's Name			

Narrative

I am commissioned by the City of Black Diamond to enforce the laws of the State of Washington and the City of Black Diamond. This investigation occurred within the City Limits of Black Diamond, Washington on the times and dates listed below.

On 01/24/08 at approx. 2241 hours, I was on routine patrol at Sunny LN and Roberts DR. A silver colored Honda, WA State plate number 778LSP passed me and I ran the plate number for routine stolen. The return showed the vehicle tabs to be expired 01/20/08. I caught up to the vehicle and initiated a traffic stop at Roberts DR and 3rd AVE.

I made contact with the female driver of the vehicle. I immediately saw a King County badge sitting on her lap. I advised the driver why I stopped her and asked for her license, registration and vehicle insurance. As I was speaking with the driver, later identified as Jenee A. Westberg (DOB: 01/30/76), I could smell an overwhelming odor of marijuana coming from inside the vehicle. Westberg advised me that she had recently purchased the vehicle and was on her way home after riding her horse. I asked Westberg who she worked for and she stated she worked for King County Animal Control. She later advised me she did not have any vehicle insurance. I returned to my vehicle and asked for Narcotics K9 handler, Officer Chatterson, to respond to my location.

Upon Officer Chatterson's arrival, we both recontacted Westberg and spoke with her. Officer Chatterson asked Westberg if there was any marijuana in the vehicle and advised her we could smell the odor of marijuana coming from her vehicle. Westberg advised us that her dog (that was in the vehicle at the time) had just rolled in dead salmon along the river and that was the odor we were smelling. From my training and experience, I positively recognized the odor coming from the vehicle as marijuana. We advised Westberg that we were very sure the odor was not dead salmon and asked Westberg when the last time was that she smoked marijuana. Westberg denied smoking any marijuana and then stated she had just come from a house where others were smoking marijuana. Officer Chatterson advised Westberg that the odor was too strong and that it smelled as if she had smoked the marijuana in her vehicle. Westberg denied smoking any marijuana until I advised her

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that I wanted her to step out of the vehicle. Westberg then stated she had smoked "a few hits" of marijuana at her parents house approx. 20 minutes prior. She then handed Officer Chatterson a glass smoking pipe from her coat pocket which she stated she had just smoked her marijuana out of. The pipe still contained a partially burnt "bowl" of marijuana (HD5). I asked Westberg to step out of the vehicle, which she did, and advised her she was under arrest for investigation of possession of marijuana. I searched Westberg and placed her in the rear of my patrol vehicle. I asked Westberg if she would be willing to do voluntary field sobriety tests and she stated she would not. I asked Westberg if she had been recently arrested for anything and she stated she had been arrested for shoplifting. Westberg repeatedly asked if I would just let her drive home because she was the on-call animal control officer for the evening. After telling her that it was probably not a good idea that she was the on-call officer because she had just smoked marijuana, Westberg advised that she had lied and was not supposed to be to work until the next morning. Officer Chatterson read Westberg her Miranda warnings from a printed card, which she stated she understood and agreed to speak with us. Westberg advised there was no more marijuana in the vehicle and that we might find a plastic baggie that contained marijuana residue inside the vehicle.

Officer Chatterson applied K9 Sabre to the interior/exterior of the vehicle and found no illegal substances. Officer Chatterson did locate two open 12 oz. bottles of Smirnoff alcohol that still had moisture in the bottom of the bottles. Search of Westberg's purse, I located 4 prescription bottles, none of which showed to be prescribed to Westberg. One of the prescription bottles had the label torn off other than the lower left hand corner which indicated the pills in the bottle were hydrocodone. There were 17 pills in the bottle (HD1). A second prescription bottle filled at Safeway indicated that the pills were a generic type of Darvocet and prescribed to Sarah A. Woodriff. There was one pill in the bottle (HD2). I asked Westberg who Woodriff was and she stated that Woodriff was a dog and the pills were prescribed to that dog. I confronted Westberg that Safeway does not fill prescriptions for animals and that she was lying to me. She then told me she was sorry and that her friend, Sarah Woodriff, had left the pills at her house and she was returning them to her. She then later changed her story again and stated Woodriff had given her the pills after Woodriff gave birth to a child. A third prescription bottle located in Westberg's purse was from Wilderness Vet Clinic in Maple Valley. The bottle label advised it contained Ace 25mg, which I later learned was not a controlled substance. The bottle contained two types of pills, both yellow in color. One type of pill was labeled 4333 (5.5 pills located) and the second type of pill was labeled 02/20 (2 pills located) (HD3). A fourth prescription bottle found in Westberg's purse contained 6 pills. The bottle label had been removed and the pills were labeled IBU 800 (HD4). Westberg advised me that she had been injured at work by lifting a heavy dog and missed a day of work due to that injury. She stated that was why she was taking the medications.

Westberg requested I contact her Sergeant from King County Animal Control, Sgt. Steve Couvion. She requested Sgt. Couvion come to the scene to take possession of her dog. I contacted Sgt. Couvion and advised him of my contact with Westberg. He stated he was the on-call officer for the evening and would come to the scene.

Upon Sgt. Couvion's arrival, he took custody of Westberg's dog from the vehicle. I advised him that Westberg was in custody for felony VUCSA. I advised that she would not be booked into jail but that the charges would be forwarded to the King County Prosecutor's Office. I advised Sgt. Couvion

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that this was not a professional courtesy and that cases such as these are often handled this way. Sgt. Couvion advised that he agreed and stated Westberg should be processed the same as any other subject.

At approx. 0018 hours, I cited Westberg for Open Container and No Valid Vehicle Insurance (BD0027234). I advised her charges of VUCSA, would be forwarded to the King County Prosecutor's Office and she was released to Sgt. Couvion. Her vehicle was impounded with Royal Towing of Black Diamond.

It should be noted that charges of DUI will not be forwarded due to insufficient evidence that being under the influence of marijuana affected her ability to drive.

All evidence items were transported to the Black Diamond police station and processed into evidence. The pills located in Westberg's purse will be sent to the WSP crime lab to confirm their content.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct

A. Dunn 1506
Signature of Officer

1-25-08 Black Diamond
Date/Place Signed

END OF INCIDENT REPORT