



# Pima County Sheriff's Department

## Detail Incident Report for 070909359

**Nature:** 1037

**Location:** Foothills Beat 1

Tucson AZ

**Offense Codes:** 1808

**Received By:** Brito,Beatrice

**How Received:** 911

**Agency:** PCSD

**Responding Officers:** Garcia,Jeffrey

**Responsible Officers:** Garcia,Jeffrey

**Disposition:** Patrol-Adult arrest 09/10/07

**When Reported:** 23:13:18 09/09/07

**Occurred Between:** 23:09:19 09/09/07 and 23:09:53 09/09/07

**NOTICE:**

PRIVATE OR CONFIDENTIAL INFORMATION, SUCH AS DATE OF BIRTH, SOCIAL SECURITY NUMBER AND HOME ADDRESS, HAS BEEN REDACTED PURSUANT TO ARIZONA LAW.

**NARRATIVE:**

Initial Case Dictated by J. Garcia #5794 in Supp. 1

**Assigned To:**

**Detail:** MCRT

**Date Assigned:** 09/10/07

**Status:** PAA

**Status Date:** 09/10/07

**Due Date:** \*\*/\*\*/\*\*

**Case History:**

**Radiolog:**

**Unit:** 1128

**Enroute:** 23:16:44 09/09/07

**Arrived:** 23:28:15 09/09/07

**Completed:** 00:19:21 09/10/07

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**ARRESTEES:**

**Name:** LOUGHNER, JARED L.

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**Name:** TIERNEY, BRYCE H.

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**ARRESTEE:**

**Name:** TIERNEY, BRYCE H.

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**ARREST:**

**Arrest Date:** 23:35:00 09/09/07

**Type:** Probable Cause Arrest

**Disp:** Cite & Release - Adult

**Age Status:** A

**Agency:** Pima County Sheriff's Dept.

**Arresting Officer:** Garcia,Jeffrey

**Location:** \*\*\*\*\*

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**OFFENSE:** CONTROLLED SUBSTANCE/POSESSION

**Statute:** DRUG PARAPHERNALIA VIOLATION

**Class:** FELONY, CLASS UNKNOWN

**Location:** \*\*\*\*\*

**Time/Date:** 23:35:00 09/09/07

**Type:** Arizona Law Violation

**Court:** JUSTICE COURT #1

**Law:** Arizona Revised Statutes

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**ARRESTEE:**

**Name:** LOUGHNER, JARED L.

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**ARREST:**

**Arrest Date:** 23:09:00 09/09/07

**Type:** Probable Cause Arrest

**Disp:** Cite & Release - Adult

**Age Status:** A

**Agency:** Pima County Sheriff's Dept.

**Arresting Officer:** Atwell,KennethA

**Location:** \*\*\*\*\*

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**OFFENSE:** CONTROLLED SUBSTANCE/POSESSION

**Statute:** DRUG PARAPHERNALIA-POSSESS/USE

**Class:** Class 1 Misdemeanor

**Location:** \*\*\*\*\*

**Time/Date:** 23:09:00 09/09/07

**Type:** Arizona Law Violation

**Court:** JUSTICE COURT #1

**Law:** Arizona Revised Statutes

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**VEHICLE INFORMATION:**

**Owner ID Number:** 1216881    **Vehicle Number:** 729693    **License Plate:** 905DYE  
**VIN:** 1B4GH54L1RX162651    **State:** AZ    **Expires:** \*\*/\*\*/\*\*    **Year:** 1994  
**Make:** DODG    **Model:** CARAVAN    **Type:** VN    **Color:** WHI/WHI    **Doors:** 4  
**Value:** 0    **Characteristics:**

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**SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 1)**

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Initial Case Narrative by J. Garcia #5794 on 09/10/07 at 0114 hrs.  
Total Dictation Time = 12:02 mins.  
Total Narrative Dictation Time = 8:51 mins.

The following items were placed into Evidence at the Foothills District Office in evidence lockers:

1. EV1: Qty. 1: Marijuana roach.
2. EV2: Qty. 1: Multi-colored marijuana pipe.
3. EV3: Qty. 2: Packages of zig zag rolling papers.

These items were placed into Locker #F19 at 0050 hours on 09/10/07.

**NARRATIVE:**

On 09/09/07, at approximately 2316 hours, I responded to a suspicious vehicle at \*\*\*\*\*  
had seen a white van bearing Arizona license plate #905DYE parked near her wall. I responded to the area and began looking for the white van. I was unable to locate any white van parked near the reportee's address or wall. I began to broaden my search and expand out to the nearby streets. I turned onto Soledad and began northbound from Red Wing when I observed a white minivan drive passed me with two occupants. The vehicle was northbound on Soledad. I turned around and began to follow the vehicle. The vehicle turned eastbound onto Red Wing and then northbound onto Northaire. At that time, I was able to get a look at the license plate which was Arizona license plate #905DYE, the same that the reportee had called in.

I activated my emergency equipment and performed a traffic stop on the vehicle as it neared Orange Wood on Northaire. The vehicle pulled to the right. I approached the driver's side of the vehicle and made contact with the driver. I was able to detect a strong odor of burnt marijuana. I requested a backup unit to respond which Deputy K. A. Atwell #4970 responded.

Once Deputy Atwell arrived, I asked the driver to step out of the vehicle. The driver was very apprehensive about getting out of the vehicle. I informed him that if he did not step out of the vehicle, I would forcefully remove him from the vehicle. The subject, by this time, had been identified with his Arizona driver's license as Bryce Howard Tierney ( DOB \*\*\*\*\*and finally stepped out of the vehicle. I asked him where was it at. He stood there staring at me and

I asked him again where is it at. He then said, where is what at. I then placed him in handcuffs and detained him until I completed my investigation.

I advised Deputy Atwell to have the passenger step out of the vehicle as well. See Deputy Atwell's supplement for further information.

I walked Bryce back to my vehicle and read him his Miranda Rights verbatim at 2335 hours. I asked Bryce where was the marijuana. He stated there was a marijuana joint in the ashtray. I asked him if there was any other marijuana items in the vehicle. He stated it was just a joint. I asked him if he had been smoking the marijuana. He stated he had, both he and the other occupant had been smoking the marijuana joint on the way back from the Circle K.

I placed Bryce in the back of my patrol vehicle and informed Deputy Atwell that I had one subject who was being detained.

I went back to the vehicle and began to search for the item that had been emitting the burnt odor of marijuana. Since Bryce had said it was in the ashtray, I looked to see if I could see an ashtray, at which point, I could not. I began opening different compartments that were part of the dashboard in hopes of finding the ashtray. While searching for the ashtray compartment, I opened up a large compartment down near the floorboards which looked to be some sort of bin, at which time, I found a package of zig zag rolling papers. I continued to look some more working my way up from the floor going up the center console and I was then able to find a multi-colored glass marijuana pipe that was on the roof and the center console which would have been for a pair of sunglasses or the garage remote.

Continuing the search, I moved to a Big Gulp Thirstbuster style plastic cups out of the cup holders and I was able to locate the ashtray. I then retrieved a burnt marijuana roach. Another package of zig zags was located under the passenger seat in the storage compartment that was closed when I went up to the vehicle. There were no other illegal items found in the vehicle. All the items were taken back to my patrol vehicle, secured in a plastic bag and placed in my trunk.

I filled out a citation citing Bryce for violation of ARS13-3415, Possession of Drug Paraphernalia for the marijuana roach, the multi-colored marijuana pipe and the two packages of zig zags. I went back and asked Bryce what he uses the zig zags for. He sat there quietly and stared at me. I asked him again what he uses the zig zags for. He stated for that. I asked him what that was. He said, "you know for that". I again asked him what that meant. He then stated "for smoking marijuana and rolling joints".



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I conducted a search incident to arrest of Bryce finding nothing of an illegal nature on him. It was at that time that he was taken out of handcuffs, signed his citation and given back any items that were his that were not of an illegal nature and sent on his way.

This concludes my involvement.

NFI Transcribed by #4250 at Mon Sep 10 10:26:34 MST 2007

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End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 1)

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**SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 2)**

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Supplement Dictated By K. A. Atwell #4970 on 09/10/07 at 0518 hrs.  
Total Dictation Time = 4:48 mins.

On 09/09/07, I responded as a backup unit for Deputy J. Garcia #5794 at the intersection of Northaire and Orange Wood.

Upon my arrival, I saw that Deputy Garcia had the driver out of the vehicle and questioning him. I went up to the passenger side and asked the passenger who was later identified as Jared Lee Loughner to step out of the vehicle.

When he stepped out of the vehicle, I asked him if he had any contraband on him and he stated no. I asked if I could search him. He said he had a right to say no. I advised him that he did; however, he never stated no, he just advised me that he had the right to say no, which I informed him that he did. Due to his vague answer, I decided not to push the situation any further; however, while I was standing there at the vehicle and I closed the vehicle door, I then smelled a strong odor of burnt marijuana coming off of Mr. Loughner's person. I then advised him of the situation and I informed him that the smell of marijuana was not coming from the vehicle as I has closed the door and the window was up and I knew the smell was coming off of his person.

Deputy Garcia advised me he detained his subject and was moving him back to the rear of my patrol vehicle I asked him if he had anything on him again; however, I was not asking of I could search him, I was just simply asking if he had any items that I needed to know about before he sat in the rear of my patrol vehicle. The subject then advised me he had a marijuana pipe in his front, left pocket. I removed the pipe and it had residue inside of it. It was approximately three inches and glass. I at a later time placed that evidence

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into Locker F21 at the Foothills Substation and gave it an Evidence Item #KA1.

After I removed the pipe from Mr. Loughner's pocket, I put it on the hood of my patrol vehicle and placed him in the rear of my patrol vehicle. A short time later while searching the vehicle, I located a glass marijuana pipe up in the center console region; however this center console is on the roof of the vehicle. It was where various items could be stored in a container above on the roof, which pulls down when one press on it, i.e. for holding a garage door opener or sunglasses. When I opened it up the (inaudible) fell off and a glass marijuana pipe with residue fell onto the floor. I advised Deputy Garcia of what I had found.

I then read my subject Mr. Loughner his Miranda Rights and asked him if the pipe in his pocket was his. He stated it was. I asked him about the pipe in the center console. He stated it was not his. I asked him if there was anymore marijuana or contraband inside the vehicle. He stated no there was not as he had already smoked it, meaning him and the driver who was his friend.

Based off of those facts and circumstances, I cited Mr. Loughner for ARS 13-3415, Possession of Drug Paraphernalia, which is a Misdemeanor 1, reference Complaint # or Citation #502957. I gave him a court date of 10/04/07, at 0830 hours. Once my investigation was done, I removed Mr. Loughner's handcuffs that were double locked behind his back and I had him sign his citation. I told him he was not admitting guilt, he was just going to be promising to appear on his court date. He stated he understood and he signed the citation. I then gave him a copy of his citation.

Once Deputy Garcia was done with his investigation, all parties were free to leave.

NFI

Transcribed by #5186 at Mon Sep 10 10:59:01 MST 2007

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End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplemental Nbr. 2)

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