

CRJ335 Portfolio Project Fact Pattern

State v. Lauren

Officer Dan, a police officer on the force for five years, pulled over Ben, who had been driving 70 miles per hour in a 65 mile per hour zone. Ben had been driving a rental car and when stopped, he gave valid legal consent to search of the car. Upon the search, Officer Dan discovered a large quantity of heroin in the console between the two front seats. He immediately arrested Ben. Officer Dan promptly read Ben his Miranda rights, which Ben waived. Ben stated he was just driving the car for his friend Lauren and he was driving to meet her, where she was going to pick up the heroin. Ben said it was Lauren's drugs, not his. He offered to cooperate with Officer Dan because he was hoping he would get out of being charged with a crime. Officer Dan had Ben meet Lauren as they planned. Once she got in the car, Officer Dan headed to her to arrest her.

Lauren noticed Officer Dan and she jumped out of the car, running as fast as she could. She ran for two blocks, even knocking a pedestrian, Pete, over at one point. She climbed a fence and escaped.

Officer Dan found Lauren at her residence. He had a valid warrant for her arrest. Lauren was presented in a line up and pedestrian picked Lauren out of the line- up.

Both Ben and Lauren were charged with possession and distribution of heroin.

Lauren's trial started before Ben's trial. At her trial, several things happened:

- Officer Dan was called by the prosecution. Officer Dan testified to the statements Ben said at the time of his arrest.
- The prosecutor called Marilyn, an experienced detective with 20 years working in the Narcotics Bureau. She testified that it was standard practice for high level drug dealers to use other people to transport the drugs.
- The prosecutor called Josh, Lauren's estranged husband. The prosecutor demanded to know whether Lauren used drugs or sold drugs.
- The prosecutor sought to introduce bank records showing high levels of cash deposits going into Lauren's bank account as evidence of drug sale money.
- The prosecutor called the pedestrian, Pete, to testify about the incident where the pedestrian was knocked to the ground during the chase with Officer Dan. Pete said as Lauren was approaching, he heard her say "I can't get busted for

this! This was foolproof for so long!” Pete also testified in his opinion it appeared she was running away from the police.

Lauren testified in her own defense. In her testimony:

- She stated that she didn’t know about the heroin in the car and that she was not a drug dealer. She stated her purpose for meeting with Ben that day was because he was an old friend in town and she wanted to visit with him.
- She also testified that when she got in the car with Ben, she noticed a receipt for the rental car. It had indicated that it was rented by Ben one month prior to the arrests. It was offered into evidence which the court admitted.
- The defense also sought to introduce fingerprint evidence proving Lauren’s fingerprints were not on the bag of heroin.
- The defense further sought to call the youth leader at the local YMCA to testify that Lauren regularly volunteered for activities with underprivileged kids and that she was a valued role model for the children there.
- While cross-examined, the prosecutor questioned Lauren whether she lied on her tax returns. The prosecutor actually had no proof that she did lie but figured most drug dealers don’t report their income. Lauren stated she never lied on her taxes.