

Entrapment

by Rik Carlson

Annie came home from work flushed and flustered.

"You'll never guess what happened to me." she said.

"I got a ticket for going through a red light."

And just like that, I knew supper would be delayed and that we would have to review every detail.

It was a motorcycle cop and he asked her if she knew why she was being pulled over.

"I haven't got a clue" she said, to which he later reported her as being "combative".

Now listen, these things happen every day and everyone is "innocent" and to spell out the details ad-nauseum brink's on whining over penny ante crap, yet the devil is in the details and the real story here is meticulously buried, a slick and well played scam that nets the City of South Burlington untold bonuses in revenue.

The rules of a traffic infraction are that if it's your word against the cop's, you lose. The judge can't intervene, the cop is always right. It's a \$200 dollar fine for a red light and if you contest the charge and are still found guilty, they add court costs. Your only hope of acquittal is if the officer doesn't appear, but if you truly believe in your innocence, it's a chance you have to take.

Okay, let's paint the scene, you all know the intersection. It's East Avenue, coming from the hospital and turning left onto Main Street, just east of UVM and headed towards Staples Plaza, and oh yeah, it's rush hour at dusk. The deal here is that when the light is green everyone creeps along at 15 mph, turning left, and you hope you don't have to cycle through the light more than twice. She was in that line of traffic and when she entered the intersection the light was green, but once she crossed the line with another car on her bumper, it turned yellow. There was an unseen altercation some 7 or 8 cars ahead and everything backed up and she got stopped under the light. She craned her neck to look up over the top of the steering wheel and it was yellow. Traffic freed and she continued. To even think of backing up was ridiculous. As she merged with the new flow of traffic, the motorcycle cop appeared out of nowhere, fired up all his regalia and they pulled into Spillane's.

That's where she got to be "combative".

She got her ticket and life went on.

Now as any innocent soul would do, she appeared in court to contest the bogus charge, aware that if the cop showed, she was toast. He was there and her case was fifth of five. The "trial" before hers was interesting because it involved a young man in a pickup truck who was charged with going right on red without coming to a complete stop. Once pulled over, he was found to have a suspended license and they threw the book at him. The police officer and the judge where a well oiled machine, spoke in rehearsed terms and procedures and used these skills to blindside nervous defendants. When it came to this kid, if he had not "run" the light, they would never had found his other infractions. When he spoke to the judge, he said "Listen, I approached the intersection in the right lane with my signal on, and the cop was in the left lane next to me. Do you really think I would not come to a complete stop when I was next to a cop?" The officer said he didn't, without looking up. The judge agreed, the kid lost, and from the audience, I knew our goose was cooked.

Annie's case was presented, the cop said she went through a red light.

In her defense she said it was yellow, talked about craning her neck over the steering wheel to confirm that and fell upon the mercy of the judge.

The judge reprimanded her from the bench while wagging a finger and in remedial terms that would embarrass a fifth grader, reminded her that a signal light changes in 3 1/2 seconds and that it is her responsibility to foresee actions well in front of her that might delay expedient passage. Guilty. \$200 plus court costs for a total of \$267. And that was it.

It wasn't until two or three days later that I reviewed it with her and I asked her how she could be expected to see around a corner where someone tried to switch lanes and back up the line of traffic. She said "That's not what happened. It was a police cruiser that pulled someone else over for God knows what". Flip me out. Now we know what caused the traffic to balk, and that the motorcycle cop was laying in wait for the poor son of a bitch who was last in line. It didn't matter. It was his word.

Has this happened before? You bet.

Were they coordinated? Odds are.

Can we prove it? No.

Is there any recourse? None.

Would someone take time off from work to contest a traffic violation risking additional charges if they were guilty?

I doubt it.

What I saw in 15 minutes in that courtroom was one cop, 5 cases, no defense against his word, and about three grand into the coffers of South Burlington.

Wrong place, wrong time. Dirty cop. Court system in cahoots. Entrapment. Case closed.

Be careful out there. It can get nasty.