

My Arrest Experience in Atlanta

Aaron Krowne

July 2, 2005

As I write this, I still don't have all the feeling back in my left hand, from being cuffed for about half hour on the trip to the city jail.

Last night, I went out to celebrate the coverage of PlanetMath in "Science" magazine. Jamie wanted to take me to midtown to treat me to dinner and drinks, and after a week of nothing but working on conference papers, this sounded great to me.

We had a great dinner at Einstein's in midtown, where we also each had a couple of drinks. Here we ran into Jamie's former boss, who runs a software company, and his date. We combined with them after dinner, and all walked a few blocks over to Front Page News (a popular local restaurant and bar).

Here we hung out over the next three hours with them and more of Jamie's friends who eventually joined us from Alpharetta. We had a pleasant time— and had a few more drinks while we were at it. I was going pretty slow, because I knew I'd be driving home. I stopped drinking maybe an hour before we left, and had thrown beer into the mix to slow down. I had precisely three drinks since dinner.

After we all parted ways, me and Jamie walked back to my car, parked in the lot across from Einstein's. I wasn't really worried about my driving abilities, because of eating a full dinner and the pace of imbibement that evening. So we hopped in the car and headed out.

We were on 10th street across from Piedmont park when we passed a cop on the side of the road. I saw the cop well in advance, and remember thinking "it's a good thing I'm driving safely and am not drunk"!

I was in for a surprise.

When I reached the intersection of Monroe and 10th a few hundred meters later, the cop was behind me, blue lights flashing. I still wasn't worried, thinking he was going to go around me and go after someone else.

Wrong again!

He followed me as I took an immediate left onto Virginia, and I knew that it was all over. I pulled over to the side of the road right after the Virginia entrance to the Midtown Art Cinema lot.

Jamie was pretty freaked, asking if I was scared. I said "no", because I felt I was not drunk and perfectly able to drive, and am well used to being pulled over by cops in the Atlanta area now (I had received and beaten two fairly lame speeding tickets in the past year, which I won't delve into).

The cop came over and we did the license and proof of insurance bit. The cop asked if I had had anything to drink; I said I had had a few drinks with dinner. I was calm and I feel, extremely polite (as I always am when I get pulled over— to avoid pissing them off or even being memorable).

The cop latched onto my few-drinks bit, and had me get out to start the sobriety song-and-dance. He first had me do the walk-in-a-straight-line bit, which I did with no problem. This is fairly amazing given how nervous I was, and the fact that I'm not the most coordinated person to begin with.

Then he had me do the follow-the-pen bit. This is where things began to go wrong. After about 4 left-right cycles, I was getting worried, and told him "I should inform you that I've got a focusing deficiency". He got pissed because I took my eyes off the point of the pen, and, clearly annoyed, told me to just focus on the pen. My statement was true, actually, and I even have a note from the optometrist about it. But after this exchange, I found it difficult to focus on him, because I usually look at someone whom I'm having a dialog, and because I had disrupted my own concentration.

He then asked me to do another test: stand on one leg until he said stop, then stand on the other. I asked him how long I would have to do this, and he repeated, until he said stop. I told him I wouldn't do an open-ended test, knowing that he could just continue until I showed some sign of wavering, and knowing that my balance is not so good even without a drop of alcohol, and that I was extremely nervous.

He cuffed me for this, and shoved me into the cruiser.

When I was back there, he asked me if I would take a breathalyzer. I thought about it for 5 seconds or so, not really sure what my best option was in this circumstance. Unfortunately, this hesitation was too much for him, and he just shut the door on me, taking my silence for a "no".

He had a truck come tow my car, let me exchange some info with Jamie, and drove off, leaving her on the side of the road (at 2am) to get home somehow on her own.

Back at the station, I was ushered into the receiving area, still cuffed, and sat on a metal bench. A few other people were in there, obviously brought in for DUIs.

The cop again gave me the option of taking the breathalyzer, explaining that if I refused, I'd lose my GA license for a standard year.

I figured I had a good chance of beating the legal limit of .08 BAC, and couldn't bear the thought of losing my license in Atlanta, which would leave me with inability to do anything but get to work, due to how bad the public transportation is in my area. So I went for it.

This turned out not to be a bad decision; the lower of my two blows (which is considered the official test result) was .072, so I was under the legal limit.

However, I got a little surprised when the cop (for the first time) informed me that this limit would still qualify me for an "unsafe driving" state, and that I'd be charged with reckless driving and some sort of DUI anyway (I'm unsure exactly what he said).

Still, I thought I was now at the minor infraction level, and that I'd be released soon.

Wrong again.

After being patted down, I was led into the booking area, where I was photographed and printed. I had no idea what processing steps lay ahead of me, or how long they would take.

They took a very, very long time.

I could describe what I went through over the next 10 hours as a "DMV from hell". Me and those who came in around the same time as me were called up to supply information or otherwise ordered to move around approximately every hour. We had to listen for our names which really made it impossible to sleep. We were scolded for speaking up without raising hands, approaching the desk without permission, sitting in the wrong place, or making any sort of mistake in the completely arbitrary and unfamiliar procedure.

Variouly, we were moved between a waiting area and a holding cell. Most of the other people in there with me were the dregs of society or completely harmless; there were crackheads, prostitutes, the homeless, the obviously mentally ill, the DUI captures, and an unfortunate mild-mannered valet who got nabbed for driving on a suspended license he didn't know was suspended (due to overdue emissions inspection).

I wasn't really sure why I was in there, having been given no citation paperwork, and having been under what I was told was the "legal limit". Any time anyone asked why I was in there, either staff or other "inmates", all I could tell them is that they *wanted* to charge me with drunk driving. I had a vague idea that I was charged with speeding and reckless driving.

I was supposed to catch a plane to DC to be with family for the (extended) fourth of July weekend. I was going to meet up with my mom and uncle, and go to my mom's family's reunion in Pittsburgh (a decadal event). Since the cops had confiscated my license till trial, and it was clear I would be lucky to get out in time to catch my noon flight, I realized that this incident would probably ruin my entire holiday weekend.

Minimum costs: \$250 in plane ticket (+ taxes and fees), and \$105 to get my car out of impound.

After many hours, I was told my bail was set at \$2200.

I tried to use the phones in the holding area to call Jamie, but this repeatedly failed, and when I asked, I was told the collect calling system wouldn't work to cell phones. Eventually, I managed to get through to a bonding company, the first on on the list they made available. Thus, I at least had a way out. The bonding guy told me that it would still be hours before he could get me out. The rates would probably be around \$250, at least 12% of my bond.

Luckily, I was later informed that as a Georgia resident, I could get out with no bond on my own signature, provided I had references that could be contacted. I had them contact roommate and Jamie, and all was worked out. The bond was cancelled and I was to get out "for free".

I eventually made it out around 10am, and Jason and Jamie showed up to pick me up. It had been a rough night for them as well, as they had been up for

most of it making calls and trying to get money to bail me out (which turned out not to be needed). We spent the next four hours or so running around going through all the required crap to get my car out of impound, and helping out a nice retired businessman who had been in jail with me, and who had had his whole wallet and billfold taken (in addition to cell phone and everything else).

On my way out, I was given my citation slips. I had three of them: one for speeding, one for reckless driving, and one for a DUI. So amazingly, I was charged with speeding for doing 45 in a 35 (I challenge you to ever find anyone going slower than 45 on 10th street by Piedmont Park), and reckless driving for this (despite no other traffic violations) and being *under* the legal BAC limit.

Frankly, I think my main offense was being the only car on the road and being caught by a cop who wanted badly to make an arrest for a DUI.

This entire incident, along with my past year's experience, has convinced me that it is impossible to avoid arbitrary arrest in the state of Georgia. The state takes every opportunity it can to pound compliance and fear into its residents. The behavior of individual police and their application of the laws betrays that they are intent on wielding unlimited, inconsistent force against innocent people engaging in harmless, routine, unextraordinary behavior.

My experience in jail was shockingly eye-opening. As related above, everyone in there was treated like a hard criminal, from the humble and peaceful folks who slipped up bureaucratically, to the obviously mentally ill, to those suffering from substance abuse, to those who obviously just didn't have to means to avoid the dragnets of the cops (they'll pick you up for jay walking). All were treated like imminent dangers to society, and ordered around like children or boot camp draftees.

This may even be too generous; it is more accurate to say we were treated like animals. Signs were posted which actually said something to the effect of "ATTENTION! After feeding, garbage must be placed in trash bins!"— actually using the term *feeding*. Everywhere, the terms "female" and "male" were used (both in posted notices and by the cops and staff) instead of "woman" or "man". And of course, we were kept in holding pens like caged animals. This reached a particular animalistic crescendo when clearly mentally-ill arrestees were placed in cells alone and allowed to bang on the safety glass and scream and shout for hours to get out.

The experience was immensely degrading, and I can see how the habitual "residents" of the justice system very quickly become permanent wards of it.

At any rate, I find myself now thinking towards finding another state to move to to live my life and conduct my work in peace. I simply don't know how much more I can take of this kind of treatment from the government. I know I won't be "safe" anywhere, but I certainly suspect there is a spectrum upon which Atlanta (and Georgia as a whole) are particularly bad. To anyone reading this who is now or in the future considering a move to Georgia, beware.