

Guilty Until Proven Innocent

To the editor,

As a child I had cancer for which I had surgery, followed by radiation and chemotherapy. To this day, I have side effects which include knee and ankle problems also coordination deficits.

October 2014, Officer Merrion arrested me for a D.U.I. Initially when stopped, Merrion said I hit the curb twice and then it changed to three times. Neither was true. He accused me of drinking. I hadn't been. I was asked to perform some sobriety tests. I explained radiation and chemotherapy had left me with some physical issues and I wouldn't do very well. I was to stand on one foot, arms at my sides. No way could I do this with my knee problems. Merrion stated, "Knees don't give you bad balance." Long story short, I was unable to satisfactorily perform the physical sobriety test.

After registering a 0.000, NO ALCOHOL, on the breathalyzer test, I'm accused of "being on something." I don't use drugs. Nearly 20 years as an airline employee, I'm under United States D.O.T. mandated drug testing, and always passed.

I was transported to the police station and again registered a 0.000 on the Datamaster Breathalyzer test. I consented to have my blood tested for illegal drugs. Officer Dupee (Certified Drug Recognition Expert)

concluded I was under the influence of spice (synthetic marijuana.) I didn't know what spice was. I was transported to jail.

At my expense, my lawyer obtained and sent my blood samples drawn at the time of my arrest to an out of state lab, capable of performing a more thorough toxicology report. Unsurprisingly, results showed I had NO DRUGS in my system, including spice.

The State of Alaska refuses to test for synthetic marijuana. I cannot comprehend how in Officer Dupee's opinion, I was under the influence of spice.

October 2014 the News-Miner reported my arrest. These charges were dismissed February 11, 2015. Aren't dismissed charges worthy of being reported?

I know an apology or any financial reimbursement isn't forthcoming. This was an expensive, stressful and embarrassing experience. I now question our legal system. Why was I guilty until I proved my innocence?

Lance Ostnes