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DA 11-72

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November 15, 2011

RELEASE DATE

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

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***** PRESS RELEASE *****

November 15, 2011

Re: Peter Lance

Today, the Honorable Brian Hill, Judge of the Santa Barbara County Superior Court, granted a motion to suppress evidence in the case against Peter Lance for driving under the influence of alcohol. The granting of a motion to suppress under these circumstances means that all the evidence obtained by officers after Mr. Lance's vehicle was stopped could not be used at trial

During the hearing, Officer Bruno Peterson testified that he observed Mr. Lance's vehicle to be stopped at a green light for three to five seconds at 1:06 a.m. on the morning of January 1, 2011. Officer Peterson testified he then pulled alongside Mr. Lance's vehicle and observed his head to be looking downward toward his lap. Officer Peterson further testified he shined a light in Mr. Lance's face who then looked at the officer and then looked down again toward his lap before looking up and driving through the green light.

Judge Hill ruled Mr. Lance's delay at a green light did not provide a sufficient legal basis for Officer Peterson to pull over Mr. Lance's vehicle; therefore, the case was dismissed.

Judge Hill did not find there was any misconduct on the part of any of the involved officers, including Officer Kasi Beutel or any member of the District Attorney's Office. Judge Hill further stated that Officer Peterson's decision to stop Mr. Lance's vehicle was not unreasonable.

Judge Hill indicated that California cases provided little guidance on this issue but he did indicate that cases from other states influenced his decision.

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