

Okay. And, again, this says that a drug is a substance that
17 can impair the ability of a person to operate a vehicle safely
18 -- safely, right?

19 A. Yes.

20 Q. Okay. Now, with that being said, though, lots of things can
21 be drugs, right? I mean, if there is any substance that can
22 affect the human body -- or, I'm sorry, impair -- what it says
23 is impair the ability of the person to operate a vehicle
24 safely, right? So any substance that impairs the ability to
25 operate the vehicle, right?

1 A. (No verbal response)

2 Q. So, like, caffeine, that would be a drug, right, according to
3 this definition?

4 A. By that definition, I guess in a large dose, yes.

5 Q. Well, this is the definition that -- that you were trained on,
6 right?

7 A. Yes.

8 Q. Okay. And then in that definition, caffeine would be

9 included?

10 A. Yes.

11 Q. Nicotine?

12 A. We never discussed nicotine.

13 Q. But do you believe that nicotine can impair the ability of a

14 person to operate a vehicle safely -- safely?

15 A. I don't use nicotine and I've never used nicotine, so I

16 wouldn't be able to form an opinion on that.

17 Q. Okay. Have you ever had a Thanksgiving dinner?

18 A. Yes.

19 Q. Do you eat turkey?

20 A. Yes.

21 Q. Turkey makes you kind of sleepy sometimes, right?

22 A. Yes.

23 Q. So if you eat enough turkey, that would be classified as a

24 drug and they could be arrested, correct?

25 A. No. You cannot arrest someone for turkey

1 Q. I mean, your definition of a drug is anything that impairs the
2 ability to drive safely. I think we can all agree if you're
3 getting sleepy and you're going to fall asleep, that's good --
4 that's not safe, right?

5 A. It's not safe.

6 Q. And we just agreed that turkey can make you sleepy, correct?

7 A. Yes.

8 Q. So turkey could be a drug, correct?

9 A. I wouldn't agree with that, no.

10 Q. Well, I mean, your own manual defines "drug" a certain way.

11 Do you have your own definition of a drug?

12 A. No. I -- I think what you're doing with the turkey is taking
13 the manual out of context.

14 Q. I mean, it says "any substance," right?

15 A. Yes.

16 Q. Okay. Let's get over it, then. Turkey is a substance, right?

17 A. Yes.

18 Q. And you can take it into the human body, correct?

19 A. Yes.

20 Q. And it can make you sleepy, correct?

21 A. Yes.

22 Q. Okay. Sleepiness would be unsafe if you're driving a vehicle,

23 correct?

24 A. Yes.

25 Q. Therefore, turkey is a drug according to the definition that

1 you have in your manual, correct?

2 A. I would not agree with that, no.

3 Q. Why not?

4 A. Because that's taken out of context.

5 Q. Explain that. What do you mean by "taken out of context"?

6 A. Because when they wrote that in the book, I'm sure they

7 weren't talking about Thanksgiving turkey impairing you.

8 Q. How do you know that?

9 A. That doesn't make sense.

10 Q. They said "any substance," right? I mean, do we have to go

11 over this again?

12 A. No. I -- I agree with what you're reading, yes, but I would

13 not form that same opinion, no.

14 Q. So you would be acting contrary to your training, correct?

15 A. No, I'm disagreeing with your statement. I'm not acting

16 contrary to my training.

17 Q. So -- so turkey --

18 THE COURT: I think --

19 MR. COVERT: Okay. That's fine.

20 THE COURT: I think you've made your point.