

# Full Transcripts of Sandra Bland Arrest Prove Cops Broke The Law and Made False Arrest

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*Since the newly released video of Texas State Trooper Brian Encinia detaining then arresting Sandra Bland, it has become clear that the entire arrest was itself illegal. But watching and listening to the video is one thing. When you see it all laid out in black and white, it becomes impossible to justify the hard copy language used by the officer. It is clear that he gave illegal commands and made a false arrest. If that arrest had never happened – as it should not have – Sandra Bland would be alive still today.*

The African American civil rights and police accountability activist had simply asserted her rights, when the trooper gave her unlawful orders, which were only permissible if phrased (and accepted) as requests.

Three days after the false arrest, Bland was [found dead in her jail cell](#).

Now, since that death, the video footage of the dashcam stop has come under increasing scrutiny. But long before it was judged in the court of public opinion, traffic stops just like the one in question were ruled on by the Supreme Court of the United States.

Democratic Texas state Senator Royce West weighed in on the video, saying that “once you see what occurred, [you will probably agree with me she did not deserve to be placed in custody](#).”

The United States Supreme Court has proven to agree with this position.

Encinia’s conduct clearly [violates a decision handed down by](#) the Supreme Court last April.

In the case of [Rodriguez v. United States](#) it was determined that police were not allowed to extend the length of a routine traffic stop. That ruling effected lengths of even a few minutes, unless there was a clearly demonstrable safety concern or an additional crime that had been committed in the course of the stop.

But what is clear now, from the video, is that there was no other crime, nor a safety concern. The officer was acting in violation of the law, as defined by the Supreme Court.

Justice Ruth Bader Ginsburg broke it down like this, saying that “the tolerable duration of police inquiries in the traffic-stop context is determined by the seizure’s ‘mission’ — to address the traffic violation that warranted the stop, and attend to related safety concerns.” A police stop may last no longer than is necessary to effectuate that purpose. Authority for the seizure thus ends when tasks tied to the traffic infraction are — or reasonably should

have been — completed.”

Encinia was clearly completing the traffic stop when he escalated things because of Bland’s refusal to put out her cigarette. He later even indicates in the video that she had been “trying to sign the fucking ticket” when things got ugly.

That means his extension of the stop past that point – when there was no safety concern, nor any criminal offense that had been committed during the stop at that point – constituted illegal detention and a subsequent false arrest.

Trooper Encinia broke the law and he is not being held accountable for it.

The fact is that a lit cigarette has no jurisprudence precedence in being regarded as a “safety threat” to police officers. He had no grounds to tell her to put it out, nor did he even phrase his request as a command.

Encinia, in fact, neglected to even [mention the cigarette](#) in his official incident report. He also failed to mention his threats or the fact that he pulled and aimed his Taser at Bland over this illegal command.

It is clear from the video that the Supreme Court ruling is directly relevant to this case. Trooper Encinia made a false arrest, and in this case, he is not exempted by qualified immunity. He can and should be held accountable and punished for the false arrest.

The following exchange was transcribed thanks to the Huffington Post’s Matt Ramos and Dhyana Taylor. It shows what happens in the dashcam video, as Encinia quickly drives up on Bland. Seeing it all in print seems to highlight just how illegal the trooper’s actions were.

**State Trooper Brian Encinia:** Hello ma’am. We’re the Texas Highway Patrol and the reason for your stop is because you failed to signal the lane change. Do you have your driver’s license and registration with you? What’s wrong? How long have you been in Texas?

**Sandra Bland:** Got here just today.

**Encinia:** OK. Do you have a driver’s license? (Pause) OK, where you headed to now? Give me a few minutes.

(Bland inaudible)

(Encinia returns to his car for several minutes, then approaches Bland again.)

**Encinia:** OK, ma’am. (Pause.) You OK?

**Bland:** I’m waiting on you. This is your job. I’m waiting on you. When’re you going to let me go?

**Encinia:** I don’t know, you seem very really irritated.

**Bland:** I am. I really am. I feel like it’s crap what I’m getting a ticket for. I was getting out of your way. You were speeding up, tailing me, so I move over and you stop me. So yeah, I am a little irritated, but that doesn’t stop you from giving me a ticket, so [inaudible] ticket.

**Encinia:** Are you done?

**Bland:** You asked me what was wrong, now I told you.

**Encinia:** OK.

**Bland:** So now I'm done, yeah.

**Encinia:** You mind putting out your cigarette, please? If you don't mind?

**Bland:** I'm in my car, why do I have to put out my cigarette?

**Encinia:** Well you can step on out now.

**Bland:** I don't have to step out of my car.

**Encinia:** Step out of the car.

**Bland:** Why am I ...

**Encinia:** Step out of the car!

**Bland:** No, you don't have the right. No, you don't have the right.

**Encinia:** Step out of the car.

**Bland:** You do not have the right. You do not have the right to do this.

**Encinia:** I do have the right, now step out or I will remove you.

**Bland:** I refuse to talk to you other than to identify myself. [crosstalk] I am getting removed for a failure to signal?

**Encinia:** Step out or I will remove you. I'm giving you a lawful order.

Get out of the car now or I'm going to remove you.

**Bland:** And I'm calling my lawyer.

**Encinia:** I'm going to yank you out of here. (Reaches inside the car.)

**Bland:** OK, you're going to yank me out of my car? OK, alright.

**Encinia** (calling in backup): 2547.

**Bland:** Let's do this.

**Encinia:** Yeah, we're going to. (Grabs for Bland.)

**Bland:** Don't touch me!

**Encinia:** Get out of the car!

**Bland:** Don't touch me. Don't touch me! I'm not under arrest — you don't have the right to

take me out of the car.

**Encinia:** You are under arrest!

**Bland:** I'm under arrest? For what? For what? For what?

**Encinia** (to dispatch): 2547 county fm 1098 (inaudible) send me another unit. (To Bland) Get out of the car! Get out of the car now!

**Bland:** Why am I being apprehended? You're trying to give me a ticket for failure ...

**Encinia:** I said get out of the car!

**Bland:** Why am I being apprehended? You just opened my —

**Encinia:** I'm giving you a lawful order. I'm going to drag you out of here.

**Bland:** So you're threatening to drag me out of my own car?

**Encinia:** Get out of the car!

**Bland:** And then you're going to [crosstalk] me?

**Encinia:** I will light you up! Get out! Now! (Draws stun gun and points it at Bland.)

**Bland:** Wow. Wow. (Bland exits car.)

**Encinia:** Get out. Now. Get out of the car!

**Bland:** For a failure to signal? You're doing all of this for a failure to signal?

**Encinia:** Get over there.

**Bland:** Right. yeah, lets take this to court, let's do this.

**Encinia:** Go ahead.

**Bland:** For a failure to signal? Yup, for a failure to signal!

**Encinia:** Get off the phone!

**Bland:** (crosstalk)

**Encinia:** Get off the phone! Put your phone down!

**Bland:** I'm not on the phone. I have a right to record. This is my property. Sir?

**Encinia:** Put your phone down right now. Put your phone down!

(Bland slams phone down on her trunk.)

**Bland:** For a fucking failure to signal. My goodness. Y'all are interesting. Very interesting.

**Encinia:** Come over here. Come over here now.

**Bland:** You feelin' good about yourself?

**Encinia:** Stand right here. Stand right there.

**Bland:** You feelin' good about yourself? For a failure to signal? You feel real good about yourself don't you? You feel good about yourself don't you?

**Encinia:** Turn around. Turn around. Turn around now. Put your hands behind your back.

**Bland:** Why am I being arrested?

**Encinia:** Turn around ...

**Bland:** Why can't you ...

**Encinia:** I'm giving you a lawful order. I will tell you.

**Bland:** Why am I being arrested?

**Encinia:** Turn around!

**Bland:** Why won't you tell me that part?

**Encinia:** I'm giving you a lawful order. Turn around ...

**Bland:** Why will you not tell me what's going on?

**Encinia:** You are not complying.

**Bland:** I'm not complying 'cause you just pulled me out of my car.

**Encinia:** Turn around.

**Bland:** Are you fucking kidding me? This is some bull...

**Encinia:** Put your hands behind your back.

**Bland:** 'Cause you know this straight bullshit. And you're full of shit. Full of straight shit. That's all y'all are is some straight scared cops. South Carolina got y'all bitch asses scared. That's all it is. Fucking scared of a female.

**Encinia:** If you would've just listened.

**Bland:** I was trying to sign the fucking ticket — whatever.

**Encinia:** Stop moving!

**Bland:** Are you fucking serious?

**Encinia:** Stop moving!

**Bland:** Oh I can't wait 'til we go to court. Ooh I can't wait. I cannot wait 'til we go to court. I

can't wait. Oh I can't wait! You want me to sit down now?

**Encinia:** No.

**Bland:** Or are you going to throw me to the floor? That would make you feel better about yourself?

**Encinia:** Knock it off!

**Bland:** Nah that would make you feel better about yourself. That would make you feel real good wouldn't it? Pussy ass. Fucking pussy. For a failure to signal you're doing all of this. In little ass Praire View, Texas. My God they must have ...

**Encinia:** You were getting a warning, until now you're going to jail.

**Bland:** I'm getting a — for what? For what?

**Encinia:** You can come read.

**Bland:** I'm getting a warning for what? For what!?

**Encinia:** Stay right here.

**Bland:** Well you just pointed me over there! Get your mind right.

**Encinia:** I said stay over here. Stay over here.

**Bland:** Ooh I swear on my life, y'all are some pussies. A pussy-ass cop, for a fucking signal you're gonna take me to jail.

**Encinia** (to dispatch, or an officer arriving on scene): I got her in control she's in some handcuffs.

**Bland:** For a fucking ticket. What a pussy. What a pussy. You're about to break my fucking wrist!

**Encinia:** Stop moving.

**Bland:** I'm standing still! You keep moving me, goddammit.

**Encinia:** Stay right here. Stand right there.

**Bland:** Don't touch me. Fucking pussy — for a traffic ticket (inaudible).

(door slams)

**Encinia:** Come read right over here. This right here says 'a warning.' You started creating the problems.

**Bland:** You asked me what was wrong!

**Encinia:** Do you have anything on your person that's illegal?

**Bland:** Do I feel like I have anything on me? This a fucking maxi dress.

**Encinia:** I'm going to remove your glasses.

**Bland:** This a maxi dress. (Inaudible) Fucking assholes.

**Encinia:** Come over here.

**Bland:** You about to break my wrist. Can you stop? You're about to fucking break my wrist! Stop!!!

**Encinia:** Stop now! Stop it! If you would stop resisting.

**Female officer:** Stop resisting ma'am.

**Bland:** (cries) For a fucking traffic ticket, you are such a pussy. You are such a pussy.

**Female officer:** No, you are. You should not be fighting.

**Encinia:** Get on the ground!

**Bland:** For a traffic signal!

**Encinia:** You are yanking around, when you pull away from me, you're resisting arrest.

**Bland:** Don't it make you feel real good don't it? A female for a traffic ticket. Don't it make you feel good Officer Encinia? You're a real man now. You just slammed me, knocked my head into the ground. I got epilepsy, you motherfucker.

**Encinia:** Good. Good.

**Bland:** Good? Good?

**Female officer:** You should have thought about it before you started resisting.

**Bland:** Make you feel real good for a female. Y'all strong, y'all real strong.

**Encinia:** I want you to wait right here.

**Bland:** I can't go anywhere with your fucking knee in my back, duh!

**Encinia:** (to bystander): You need to leave! You need to leave!

(Bland continues screaming, but much of it is inaudible)

**Encinia:** For a warning you're going to jail.

**Bland:** Whatever, whatever.

**Encinia:** You're going to jail for resisting arrest. Stand up.

**Bland:** If I could, I can't.

**Encinia:** OK, roll over.

**Bland:** I can't even fucking feel my arms.

**Encinia:** Tuck your knee in, tuck your knee in.

**Bland:** (Crying): Goddamn. I can't [muffled].

**Encinia:** Listen, listen. You're going to sit up on your butt.

**Bland:** You just slammed my head into the ground and you do not even care ...

**Encinia:** Sit up on your butt.

**Female officer:** Listen to how he is telling you to get up.

**Bland:** I can't even hear.

**Female officer:** Yes you can.

**Encinia:** Sit up on your butt.

**Bland:** He slammed my fucking head into the ground.

**Encinia:** Sit up on your butt.

**Bland:** What the hell.

**Encinia:** Now stand up.

**Bland:** All of this for a traffic signal. I swear to God. All of this for a traffic signal. (To bystander.) Thank you for recording! Thank you! For a traffic signal — slam me into the ground and everything! Everything! I hope y'all feel good.

**Encinia:** This officer saw everything.

**Female officer:** I saw everything.

**Bland:** And (muffled) No you didn't. You didn't see everything leading up to it ...

**Female officer:** I'm not talking to you.

**Bland:** You don't have to.

**Encinia:** 2547 county. Send me a first-available, for arrest.

**Female officer:** You okay? You should have Tess check your hand.

**Encinia:** Yeah, I'm good.

**Encinia:** She started yanking away and then she kicked me, so I took her straight to the ground.

**Female officer:** And there you got it right there... I'll search it for you if you want.

**Female officer:** Yeah.

**Second male:** I know one thing for sure, it's on video.



**Female officer:** Yeah.

**Second male:** You hurt?

**Encinia:** No.

**Encinia** (to female officer): Did you see her when we were right here?

**Female officer:** Yeah, I saw her cause that's where I (inaudible).

**Encinia:** This is when she pulled with the cuffs.

**Paramedic:** Your ring got you there?

**Encinia:** I had the chain, well, not the chain, but

**Paramedic:** You got the two loops?

**Encinia:** She didn't kick me too hard but she still kicked me though.

**Paramedic:** Not through the skin, but you got a nice scratch. I'm a paramedic, that's why I know.

**Encinia:** I know that, that's why I made you look.

**Paramedic:** Did she do that?

**Encinia:** Yeah that's her.

**Paramedic:** Yeah that's cut through the skin.

**Encinia:** I wrapped it around her head and got her down.

**Encinia** (on radio): This is a traffic stop, had a little bit of a incident.

(Silence for several minutes.)

**Encinia** (apparently to a supervisor): I tried to de-escalate her. It wasn't getting anywhere, at all. I mean I tried to put the Taser away. I tried talking to her and calming her down, and that was not working.

Well, I know, that was when she was in custody, and now I tried to get her detained and get her to just calm down and just calm down. Stop throwing her arms. You know what? She never swung at me, just flailing and stomping around. I said alright that's enough, and that's when I detained her.

There was something going on and she started kicking and kicking.

Yeah, and once I got her in the back of the car, that's why I'm calling you now, because ...

No, we were in the middle of a traffic stop and the traffic stop was not completed. I was just trying to get her out, over to the side and just explain to her what was going on because I couldn't even get her to do what I was telling her. She just started going this is an mf, and

you give mf for a ticket and lane change, she just started going.

I just stepped back from the car and was like are you done ma'am? I need to tell you why and what I'm giving you and she just kept on going.

I mean, I don't have serious bodily injury (laughing) but I was kicked.

Assault is if a person commits an offense of intentionally, knowingly or recklessly causing bodily injury to another or you intentionally threaten another with bodily injury.

She's in the back of the car right now. She requested EMS. She said, she said I threw her down intentionally, for nothing. No, I put you down because you kicked me. You were fighting back. I kept telling her to calm down, calm down.

Evading arrest or detention. (Inaudible). Resisting arrest ... She was detained. That's the key and that's why I am calling and asking because she was detained. That's when I was walking her over to the car, just to calm her down and just to (say) stop.

That's when she started kicking. I don't know if it would be resist or if it would be assault. I kinda lean toward assault versus resist because I mean technically, she's under arrest when a traffic stop is initiated, as a lawful stop. You're not free to go. I didn't say you're under arrest, I never said, you know, stop, hands up.

Correct, that did not occur. There was just the assault part.

Like I said, after I got her all her situated and buttoned up as far as getting her in a safe vehicle, under arrest, that's why I'm calling you.

She just moved here, according to her, yesterday, she's from Illinois.

She gave me her driver's license. I came back to the car and started running her stuff. Print it out. Coming to get back to the car to complete and tell her what's she receiving and what to do and so forth.

At that time, she's still very much irritated and so forth. I'm pulling her over for she didn't turn on her signal and so forth and so forth.

She wouldn't even look at me. She's looking straight ahead, just mad.

I'm at the driver's side, I need to get her out of the car and over to the side of the car, you know, on the sidewalk, because I don't want to be in the middle of the road while we're arguing — or whatever, not arguing, I'm trying to tell her what she's doing but she's arguing with me.

That's the only thing, I mean it too. When I had her down on the ground and the other officer came, I told her stop resisting and that's when I told her you're under arrest. At least I don't think I did.

Yes, she kicked me, she started yanking away and trying to get away. And that's when I grabbed her arm, she's in front of me still. I controlled, I grabbed her by the shoulders and I brought her down into the grass away from the pavement.

Like I said, with something like this, I just call you immediately, after I get to a safe stopping

point.

No weapons, she's in handcuffs. You know, I took the lesser of the uhh ... I only took enough force as I — seemed necessary. I even de-escalated once we were on the pavement, you know on the sidewalk. So I allowed time, I'm not saying I just threw her to the ground. I allowed time to de-escalate and so forth. It just kept getting. (laughing) Right, I'm just making that clear.

I got some cuts on my hand, I guess that is an injury, but I don't need medical attention. I got three little circles from I guess the handcuffs when she was twisting away from me.

Over a simple traffic stop. Yeah, I don't get it. I really don't.

Why act like that, I don't know.

**Another officer to Bland:** Okay ma'am, you're under arrest. You're going to be transported to the Waller County Jail, OK? Alright.

**Officer to officer:** Alright brother, appreciate it.

*(Article by **Jackson Marciana** and **Shante Wooten**; intro by **Reagan Ali** and **M. David** as well; image via #Op309 Media, as usual; h/t to [Huffington Post](#) for the transcription of the video)*

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