

The Pen is Mightier than the Cop



Depending on who's reporting, Wednesday, January 12th gave Connecticut between five and thirty inches of snow.

I live in Storrs. And the Jensen Ocular Test (i.e. me eyeballing it) says the inch-fall here was at least a baker's dozen. A hungry baker. Fifteen or so (which would officially be a Texas baker's dozen).

That meant by Thursday morning, the plows were still out and my car had very likely been plowed in. I looked out my window to confirm. Yes, my car had been plowed in.

Having been an Oregonian until somewhat recently, I am not the proud owner of a shovel. But I do own mittens, which I proceeded to use as tiny shovels, hollowing out a luge course around my car just broad enough to midwife it from the increasingly Freudian-looking plow heaps on either side.

And then, after stopping for a moment to wipe the meteorological equivalent of a very cold placenta from my hood, it was off to Hartford.

"Off to Hartford" means I take 195 to 84. 84 to Exit 61. Follow that to Exit 1. Exit 1 to some small streets. The small streets to my office.

I had made it a little past Headliners (or Sheadliners or whatever it is) when a plumpy chap with a comparably plumpy plow decided it was a good idea to shove his driveway into 195 at the opportune moment to send my Ford Focus twirling sideways into the oncoming lane.

Had that lane been occupied, its occupant's bumper would have most certainly rammed my hip somethin' savage.

Lucky for me, my pelvis remains intact.

My car less so. More or less drivable, but much more less than more. Just operable enough to – once it had finished wrecking – be maneuvered to the side of the road (where I might continue the preservation of my pelvis).

Before reaching that road's side, the plump chap (who as it turns out is also very flannelled) had already begun shouting through my window: "Knowing ending hen house word yucky!" (I couldn't understand anything he was saying because my windows were rolled up... because it was really cold.)

Realizing I didn't understand him the first time, he repeats: "going pretty damn fast weren't ya' kid!?" I feel like I understood him that time. Not because he was being accurate; only that his words now made sense in the order he shouted them. Though "kid" is a very relative term. I'm halfway to retirement. But even if I had trekked the whole path, he could still play paternity, as he can count the Great Depression among his list of childhood memories. Among mine, I count Tony Danza as a maid.

I open my door. He interprets this as an invitation for more shouting: "looks like you were going pretty fast back there weren't ya'!?" (Surprisingly booming given the age of his larynx).

Me: "no" (I try to be a minimalist in post-crash conversations... clearly a maximalist in newsprint narratives though).

Flannelled man whose diabetes has withstood the test of time continues: "You must have been doin' a hundred miles an hour" he says while shaking his head at me in the direction of "no."

Still unsure of what he was declining (and pretending not to notice him at all), I spot a potential witness, whom I hustle toward with a fair amount of enthusiasm.

"Please tell me you saw that."

"I did. I already called the police. Don't even talk to that guy."

"Thank you" I say with enough gratitude to be awkward. And then I continue to stand less than a foot away from her. Mostly because she wasn't much thinner than Flannel Midriff and was doing a good job blocking the wind. But also because, if she decided she wanted a hug, I would be in a position to issue one.

She never asked.

So no hugs were given.

After a few mostly-windless minutes, a police officer shows up. Kind of. First he just drives by and waves. But he eventually circles back around and stops.

I tell him my story. Diabetic Rotundity tells him his. The witness repeats all of mine. The officer abides by majority rules and officially documents all of mine. He cites Roaring Twenties (by his Christian name) as the at-fault party.

Done.

Or, in hindsight, more accurately, begin!

The opening act of my stresses (which only exists to get me in proper spirits for the eventual headliner) is the same one every person endures following an accident: insurance.

I now consider the automotive victim-to-agent interaction as a rite of passage to becoming an appropriately bitter adult. Either that or the prerequisite to a multi-victim homicide.

No matter what it is that's being insured, that product's agent will do his or her damndest to pay nothing, which invariably results in this sentence being spoken: "Why does anyone pay for insurance at all then if you never get anything in return?"

I had already been on the phone for ten minutes when my lips became the owner of that sentence, so when the Farm Family (his) agent tried to respond, I just talked over her: "Listen, Candi, the police report is very clear. There was a witness and everything. Your driver is absolutely at fault." Etc.

I follow this up by asking for a rental car.

Candi, which isn't a pseudonym, responds to this with a series of very vague sentence fragments, not unlike what I would expect from a palm reader when asked a verifiable question. Then she (Candi, not the palm reader) inquires about the "present condition" of my car.

"Bad. It's in very bad condition."

"Is it drivable?"

"I guess technically it is. Like if I push on the gas pedal, it goes. But the engine chirps like I have something ornithological under my hood and if I get it up to any reasonable speed, it gets Parkinson's. That and my windshield looks like it's going to break off in my face at the first gust of wind."

Again, with a palm reader's commitment, Candi talks very wide circles around my response, narrowing her turning radius only to offer me this piece of advice: "Keep your receipts."

"Fine."

I hang up the phone and immediately pick it back up to make another call. Candi is still on the other line. Apparently I didn't hang up for long enough. It's not a cell phone. That's a quality of landlines I don't miss.

I depress the receiver again, count to five (out loud... not entirely sure why... maybe I thought it would soothe me), then pick it back up and make another call.

"Lindsey hi, it's Courtney. Listen, I got in a wreck..... No. Thanks, I'm actually okay. But I'm not going to make it in this morning. Can you reschedule my appointments? Yeah, like for a while. Okay, perfect. Thank you, you're wonderful. Yeah. ... Yeah I will. Okay, thanks. Right.... Tha – yeah I got it. Thank you so much."

And then I hang up, feeling almost relieved, as if the automotive industry just relaxed its chokehold on me. Perhaps it was more of a Boston crab. Whatever the submission, it was loosened with a phone call, and my next several days were spent ignoring the fact that I ever once owned a car... and realizing exactly how unsatisfactory my footwear is.

I remedied the footwear problem and immediately felt better about my life.

But Hartford is a pretty serious trek from Storrs, no matter how ergonomic the shoe. And there came a point where I really did need to go. "Reschedule" is not a euphemism for cancel everlastingly. So I Googled car rental locations near 06268 and discovered Tony's Garage, the closest one to my apartment (a very appealing quality for the walking class).

I meet Larry and his junior, who are both very polite, and twenty minutes after handshake number one, I leave in a maroon Hyundai sedan.

The drive home takes me considerably less time than the walk there. Maybe seven minutes total.

After those seven minutes, I look at my phone.

One missed call. One minute ago.

While I'm looking at the number I don't recognize, the same number calls again.

I answer.

"This is officer Mainiero . I'm filling out an accident report. I have it documented that you were in a collision on 44."

"Hi. Um... No it was on 195. The report was already filled out like a week ago though. I'm just waiting on the insurance and everything. It's a hu"

"No I'm filling it out right now, and the other party reported 44."

"It was 195. Trust me. I was there. I'm the one who got plowed. But all of this was already done. We already went through it last Thursday. I can get you the case number. Would that help? Hold on, let me see if"

"This just happened 20 minutes ago."

"What?"

"Where are you?"

"I'm at home. At my apartment."

"I have a 101 South Eagleville listed."

"Um. Yeah. What? I wasn't in a wreck today. I don't even have... my car isn't even drivable. It's been sitting motionless for like six days. There's no way it could have been in a wreck. I have a rental car. I just got it fifteen minutes ago."

"That's the car that was in a wreck."

"You don't understand. I just got it. Like literally *just* now. The first time I ever saw the car was fifteen minutes ago."

"And the hit and run happened ten minutes ago."

"What? No. I wasn't in an accident at all. The car I'm driving was not in any type of accident."

"What kind of car is it?"

"It's a Hyundai."

"Is it red?"

"Yeah. Kind of. It's like mar-"

"That's what I have listed. And a license plate to match."

"...Okay. I'm really confused."

"You struck somebody in the Gulf gas station on 44 and evaded the scene. Does that help?"

"No. I don't even... Who is this?"

"T h i s... i s... O f f i c e r... M a i n i e r o" (he says at a speed and volume comparable to what most Americans do while talking to someone who speaks very little English).

"Okay. I... I don't even... It was a full tank. The cars come with full gas tanks. I just picked it up from the lot probably fifteen minutes ago and it comes with a completely full tank. I haven't been to a gas station at all."

"Well then I'm going to head over to Gulf, I'm going to grab the security camera footage, and I'm going to show you what you did. What do you think a'that?"

"Oh god thank you. There's a camera?" I breathe a really loud, probably annoying sigh into the phone – loud enough that I can actually hear it in the speaker. Then I continue: "God you had me terrified. Okay. I promise that'll save you a serious amount of paperwork. Go ahead and get the tape and I'll"

"I'll get it later in the investigation."

"Right. Well either way, the fact that it's on tape, I'm... I'm just less worried. But I have class starting in half an hour and it takes roughly that to get there. So I'm heading out. But is there a number I sh-"

"If you step one foot out your front door, I'll arrest-ya." (He's still shouting, and male, but otherwise sounds exactly like Palin... or rather, what I would expect Palin to sound like if she were a shouting male.)

"But I didn't do anything. There's a video of it." (I don't know why I keep trying to proclaim innocence when it's just treated as evidence of guilt. At least admittance if not quite evidence.)

"I suggest you wait at your apartment until I get there, because if you don't, yer gonna be spending tonight in jail."

"..."

"..."

"Well how long are you going to be?"

"I'll get there when I decide to."

"Um..... can you hurry? I really... I have class. And I did nothing wrong."

“...”

“Hello?”

“What apartment.” (He says this as a statement.)

“Six.”

“Okay?” (He says this as a question... and then he hangs up.)

Ten seconds later I notice he’s hung up. I stop trying to convince him that I wasn’t in a wreck.

After a few seconds of me being confused while doing nothing about it, I call my rental guy.

One ring and then “Tony’s.”

“Hi. It’s Courtney. I was just there. I just got a car from you. I’m the one who had the Focus plowed by the snowplow. I got the Hyundai.”

“Okay.”

“Was somebody driving it right before I got it?”

“No.”

“Are you positive?”

“Yes.”

“Okay, because the police are saying I was in an accident in it. Like a hit and run. And no part of it hit any part of anything.”

“Okay.”

He doesn’t believe me. Obviously when the police were trying to figure out who rented it, they told him I was absolutely in a hit and run in it... not like “we think he may have been in an accident.” So, being as my name is already sullied, I decide the best thing I can say is this: “Well I guess I’ll call you back when I have a clearer understanding of what’s happening.”

“Okay.”

And then I hang up. And spend the next five minutes looking out my windows at nothing.

And then at a cop.

I didn’t head outside to meet him right away. I probably should have. But instead, I just split my blinds apart like a creepy voyeur scene and watched him for a moment while trying to make deductions about his character. I figured it might help prepare me for the face-to-face interaction. But the only thought I

kept returning to was how much he looked like a football player of yesteryear. How “once upon a time” is both the fondest memory and greatest tragedy of his life. And I bet (I bet myself while at the height of my voyeur) that if I were to comb through the annals of his hometown newspaper, I’d find a few late-sports-page entries about yardage or the number of touchdowns that belonged to a younger Mainiero.

As much as I wanted to let this thought mature into a nice little vintage, I decided I didn’t have the time. So I let go of the blinds, put on my jacket, and went out to meet him.

By the time I get there, he’s already hunched over the car, inspecting the front passenger side quarter panel.

By “inspecting”, I mean squinting at it and massaging it like how I imagine a prostitute rubs someone she finds ugly.

“Hi. I’m Courtney. I’m the one who rented the car.”

He doesn’t respond. He just keeps hooker-rubbing it. But now he’s doing it all over the place, as if he has no idea what he’s actually looking for... or where what he’s looking for should be.

Eventually, after clockwising his way around the car, he finds a scuff on the front driver’s side quarter panel. It looks like somebody bumped a plastic garbage can once at three miles per hour.

“See this?” (He decides to talk.)

I get closer to the car and bend toward it, followed by a curious-where-you’re-going-with-this kind of “yeah?”

“I was given the make and model and color and license plate of this car and told it was in a hit and run. And I come out here and look what I find. I find body damage. Right where it should be. On the exact car that was described.”

“Okay. Well. It’s... I mean.... It’s just a tiny scuff. It’s a rental car with 50,000 miles. It would be a miracle if it were flawless. Like look at this car” (I point at the one next to it) “there’s the exact same scuff. And that’s not evidence of anything.”

“You know what? If there were something missing here, I might actually believe you. People are always reporting cars where the plate doesn’t match the description of the vehicle or something. But this time everything matches up. That’s it. You operated a vehicle that struck another car and then you evaded the scene. That’s what’s going in the report.”

He starts walking back to his car very purposefully, during which I issue a plea: “Wait! I wasn’t in a wreck. I swear. Please just get the tape. You told me there was a video tape.”

“There might be. I have no idea.”

“You told me there was.”

“And there might be. If there is one, and if it’s even aimed in the right direction – who knows if it is – I’ll get to it.”

“When?”

“When I get to it.”

“Okay. Well, while you’re doing your paperwork, I’m going to get the gas station’s phone number and call and ask them if we can go get it. That way you don’t even have”

“If you contact the gas station or even set foot on that property, I’ll arrest-ya for obstruction of justice.”

“... Officer. I don’t know what to do. I was not involved in anything remotely resembling an accident. What do I need to do to make you know that?”

He puts down his pad of “document”, wads his hand into a fist, taps the ring portion of that hand against the clip of the board a few times, and then looks up at me. At first he doesn’t say anything. He just smiles and does a kind of power-exhale in the place of a laugh. And *then* he speaks: “I’ll be honest. It doesn’t look good for you. I’m filing this tomorrow then it’s on its way to the judge and out of my hands.”

By this point, he had already un-wadded his fist to better carry falsified documents to judges. Sorry, reader, I’m interrupting. He continues: “There are a couple other people it has to get filed through, so maybe somebody else is going to look out for you. But I’m here now, and I’m telling you, I can tell. I can. And you lying to me about it is *not* helping your case.” The word “not” was packaged with an extra, seemingly unnecessary, dose of aggression. I don’t think I would have misunderstood what he was saying had he just said it like a normal person.

My mostly-predictable response: “Sir. Please. I was not in a wreck. I swear. I understand how it looks. I do. You’re given my license plate and come out and see a scuff. I get it. Actually, how did you get my license?”

“When the person who hit the girl’s car fled the scene, from inside she saw a red car drive off from the accident. So she drove in that same direction. And the first car she caught up to in that same direction was a red sedan. Yours. If you’re trying to tell me it’s a coincidence...”

“... What do you mean from inside? From inside her car?”

“Inside the building. From inside the building, she saw a red car drive off from the accident.”

“... Okay. I think I... Can I just re-summarize this back to you so that I feel like I understand what happened?”

He doesn’t respond. I take that as permission: “A girl’s car was struck by another car. She doesn’t actually see it happen. But from inside a nearby building, she watches a red car drive off.” Mainiero isn’t paying any attention to me, but I continue anyway: “She finishes up whatever she needs to inside that building – pays for gas or whatever – runs out to her car, starts it up, and drives off in the direction she thinks the person who hit her car went. After a period of time, she catches up to a maroon sedan.

While trailing it, she writes down that car's license plate, color, make, and model. That's why the description of the car matches the license plate. It could have been anybody. I can do that to any car on the road at any time and never once get it wrong. And every single car in this lot has a scuff on it. Seriously, look at that one" (I point to another car).

The cop does his smiling power-exhale again, says nothing, and then returns to his pad of paper.

Me again: "Listen. I understand the course. I get it. If you receive a lead, you have to follow it. And if I were in your position, based on the information you have, I would be pursuing the same stuff. I get that. I'm not challenging you. I'm just asking that you put yourself in my position. And I hope you can appreciate the possibility that this is just a girl who found me on the road and wrote down things about the car she was trailing. Not the car that hit her. I'm sure they just drove off somewhere else. She caught up to me because I was driving the speed limit down the main road. An escaping person with any sense would have been taking all sorts of corners. If it"

Officer Mainiero's walkie-talkie goes off. I immediately stop talking and begin to listen with enough interest that it could have been Jesus on the other end. It wasn't though. It's another cop, which is just as interesting, considering he's standing at the girl's car who was hit and they're about to compare where her damage is to the position of my scuff.

Walkie-talkie voice (we'll call him Jesus): "It's gonna be on his right front quarter panel." Ckzhkhszsch.

Me excited: "The scuff is on my left!"

QBackStar77 (I'm referring to Mainiero by his probable IM name) holds up a finger, as if shushing me, but it's not at anyone's mouth.

Five to nine totally silent seconds pass, then, in a tone half way between dismissing and irritated, he says this: "That doesn't mean anything. Victims of this sort of thing remember stuff wrong. You can't expect them to remember angles and positions."

Me (I don't have an IM account): "What? If she can't even remember where or how she was parked when the other car struck her, how can you know she's remembering anything right? She would obviously remember things about her own car way better than she would things about someone else's that she barely saw from inside a nearby building. There's no w--"

Jesus interrupts us: "It should be a pretty good ding starting about two feet up."

Mainiero doesn't respond. Nor does Jesus say anything else. But Mainiero keeps holding the walkie-talkie to his face so he doesn't have to address me (if there was another reason he maintained this posture, I don't know what it is).

Realizing I'm doing nothing to help my case by eavesdropping on silence, I run inside, grab a waist-circumference measuring tape (I work in biomedical research), and run back out to the scuff... followed by this: "Officer, I just measured. At the very peak, my scuff is seventeen inches off the ground. That's over half a foot lower than where the girl's begins."

Still holding his walkie-talkie: "That doesn't mean anything. You could have been at an angle. Besides, I'll measure it myself."

"Okay. Well I'm pretty sure I didn't get it wrong by like 50% and the road doesn't angle. And even if it did, it's on the wrong side."

"It wasn't in the road. It was in the gas station."

"But I wasn't in the gas station at all. Why would I be? The car was totally full. That's how rentals come. And I had just finished renting this one. Please just get the tapes. You told me there were tapes. They'll absolutely show it wasn't me and it'll save us both a lot of stress. Well, me stress. You paperwork."

He says some very dismissing sentences, which include "I'm leaving now", a repeat performance of his smiling power-breath, and a reminder that "it doesn't look good for you."

"Can I at least have a ride to school? I'm really late."

"You have a rental car right there." He points at it as if I had forgotten which car we just spent the last hour discussing.

"Yeah but I don't have a parking pass."

"When you get there, just tell whoever your teacher is that you were with me. You'll be fine."

"Dude. I'm doing my Ph.D. I'm not in kindergarten." I didn't actually say that. I wanted to. But instead I said nothing. He responded to my nothing by handing me a slip of paper with the report number (11000 32609) and his phone number: (860) 429-6024 ext. 741. Then, as promised, he left.

I'm forty minutes late. But it's a two and a half hour class, so I run inside, grab my backpack, and start running up the hill.

On the way, I call my friend Holly (attorney in Portland, Oregon).

She responds to my panic sentences with some very un-palm-readerly sentences of her own about the burden of production and burden of proof falling on the plaintiff. And that "in a civil claim, the plaintiff has to prove beyond a preponderance of evidence that it was you. So if she says it was you and you say it wasn't, that means she loses." That was Holly, obviously.

"Yeah but while the officer was leaving he said there was already enough evidence and unless someone above him is looking out for me, there will be a warrant out for my arrest by tomorrow. I was in the area. She has my license. My car has scuffs. That seems several paces passed preponderance."

Holly again: "The scuffs don't match, you had no reason to be in the gas station and there are plenty of red sedans. Worst case scenario, you actually have to show up to court and go through that whole hassle, but they throw it out there."

"Okay."

And then we spend the rest of the phone call talking about a personal problem of her own (a guy named Doug).

Doug doesn't sound very appealing.

"Okay Holly, I'm right outside my class. I'll call you later."

I haven't called her back yet. I will. And when I do, I'll let her know that, after twenty-four more hours spent in total panic (and as many unreturned messages from every employee at the police department), I finally received a call back.

"Hello?"

"This is Officer Mainiero."

"Okay, this is Courtney."

"Courtney, new evidence was presented showing very clearly you were uninvolved."

"What was it?"

"What was what?"

"What was the evidence?"

"We're not at liberty to disclose that. But you're in the clear."

"Can you just tell me how you figured out it wasn't me?"

"It was visually clear. That's all I can say."

I'm sure he could have said a lot more than that but was too embarrassed to do so. My assumption is that he finally watched some video of a teal Jeep Cherokee Laredo or a teenager with a Louisville Slugger or any other non-maroon-Hyundai issuing "a pretty good ding" to the girl's car.

Either way, having received this piece of news, I immediately went home and got in bed, hoping it would act as my passport to much-needed slumber.

And this is where I'm laying presently, writing this from bed. Apparently with no alcohol or Lunesta on hand, my passport was denied. Right at the gates.

My knee-jerk response to all of this (as I continue to write) is that I would very much like to Bolshevik the entire automotive industry... but more successfully than the elimination of the Romanovs. I wouldn't want anyone digging up some fragment of an axle bone in 2023, over which a monument in remembrance could be erected.

Though that fate might be more punishing to Larry and his junior (of Tony's Garage) than anyone else. And, while they've changed their attitude toward me since all of this began, I'm not convinced they're crooked and deserving of that fate.

So instead, I'll just finish the fermentation of yesterday's voyeur thought, now that I have both time and a clearer mind to do so (as well as a whole host of personal insights from an incredibly revealing conversation).

Mainiero definitely played high school football and was passably skilled relative to his peers. I'm in no position to change my mind about that. And I'm sure it can be evidenced with backlogs of his hometown newspaper. But that's not interesting. The interesting part is that I would further my bet with this: If one were to break into his house and sneak into his attic when he's not home, and start rifling through his boxes, I bet that burglar would uncover even more revealing prose than newspaper clippings.

Perhaps nothing as self-reflective as a diary, but definitely some paperback souvenirs of a post-football identity struggle: The self help book. In this case, "Chicken Soup for the Would-Be Athlete with a Newly Unquenched Emotional Need to Push People Around" or some such volume.

To bring satiety to that appetite, he discovered that, with only a few reasonably simple years of trade school, he could get *paid* to push people around. And with that, the would-be football star pursues a life of criminal justice (obvious euphemisms at play).

Fast-forward several years and we find Officer Mainiero in uniform, executing the criminal justice equivalent of a blitz.

Had he been astute enough to recognize literacy (and a touch of cunning) in the opposing defense (me), he might have called a last-second audible of civility. But he wasn't astute enough. And he didn't call that audible. And this is how games are lost. And unfortunately, this is also how he met his reunion with newsprint, in a much less dignified fashion than last time.

But as I lie here, still unable to sleep, knowing quite a cringe is headed his way, I realize neither of us is the victim. This episode will not become either of us and we'll both move forward.

Remember the ring on his wadded fist? If that ring was worn in representation of matrimony, it brings me deep sorrow for his spouse, who will very unlikely ever be a wife. At best, first mistress to his one true love: power, however lowly, sad and abusive its expression.