

Communicating with notes

According to the court documents, Kail was pulled over early on June 1, 2007, after a St. Anthony police officer saw his car weave within its own lane and follow another car too closely. The officer asked for a driver's license and proof of insurance and quickly learned Kail cannot hear or speak. The officer communicated with him initially through gestures but soon through handwritten notes.

Kail smelled of alcohol and had watery and bloodshot eyes, the ruling said, so the officer directed him with specific written instructions to perform field sobriety tests. Kail failed the tests, and the officer told him in writing that he was being arrested on