

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0517**

Royce James Stute, petitioner,
Appellant,

vs.

State of Minnesota, Commissioner of Public Safety,
Respondent.

**Filed December 9, 2024
Affirmed
Bratvold, Judge**

Hubbard County District Court
File No. 29-CV-23-1264

Isaiah P. Volk, Thorwaldsen & Malmstrom, PLLP, Detroit Lakes, Minnesota (for appellant)

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Considered and decided by Johnson, Presiding Judge; Bratvold, Judge; and Bentley, Judge.

NONPRECEDENTIAL OPINION

BRATVOLD, Judge

Appellant challenges the district court's order sustaining the revocation of his driver's license for driving while impaired (DWI). Appellant argues that the district court erred because he was illegally seized when a law-enforcement officer opened appellant's car door and grabbed his wrist before conducting field sobriety tests. Because the district

court did not err in determining that law enforcement lawfully seized appellant to investigate his suspected impairment and that appellant refused to comply with the officer's reasonable requests to exit the vehicle, we affirm.

FACTS

The following summarizes the district court's factual findings issued after an evidentiary hearing, along with the record evidence that facilitates understanding of the issues on appeal.

At about 10:30 p.m. on September 14, 2023, a sheriff's deputy was controlling traffic on County Road 39 in Hubbard County while coordinating with a tow-truck operator who was pulling a car out of a ditch. The deputy's squad car was stationary and partially in one of the two driving lanes; the deputy activated the squad car's emergency lights. While seated inside the squad car, the deputy saw a 2006 Ford Expedition sports utility vehicle (SUV) pull up behind him. The deputy exited the squad car and motioned for the driver "to go around him." The driver did not move the SUV as suggested. The deputy walked up to the driver-side window and spoke with appellant Royce James Stute, who rolled his window partway down.

The deputy testified that he observed Stute's speech was slow, his eyes were bloodshot and watery, and his "physical movements, such as turning his head, were slow." The deputy believed Stute was showing signs of impairment. The deputy asked Stute questions about where he was going. As they were speaking, the deputy activated his body-worn camera; the recording was received into evidence. Stute told the deputy that he

was “about a mile” away from his home. The deputy asked how much Stute had to drink.¹ The deputy then asked Stute to put the SUV in park and exit the SUV to perform field sobriety tests. Without responding orally, Stute rolled up the driver-side window and faced forward with both hands on the steering wheel. Stute asked the deputy, “Why?” three times as the deputy again asked Stute to step out of the SUV. Stute did not comply.

Fifty seconds after the deputy first asked Stute to exit, the deputy said, “Nope?” and opened Stute’s SUV door.

What happened next is at issue in this appeal and is described slightly differently in various parts of the record. The deputy testified that he grabbed Stute’s wrist but “didn’t pull him from the vehicle. He eventually stepped out of the vehicle as [the deputy] was holding on to his wrist.” The body-camera recording shows that the deputy held onto Stute’s wrist for around 13 seconds as he asked Stute to step out of the SUV. Then the deputy released Stute’s wrist, turned off the SUV, and grabbed Stute’s keys. Stute stepped out of the SUV on his own.

Overall, the deputy asked Stute to exit the SUV 11 times before Stute complied. About 77 seconds passed from the time the deputy first asked Stute to exit until Stute stepped out of the SUV.

Stute performed two field sobriety tests, and his performance on those tests led the deputy to believe that he was impaired. The deputy asked Stute to submit to a preliminary

¹ The body-camera recording includes the deputy’s comments but captured only some of what Stute said. For example, Stute’s response is inaudible after the deputy asks how much he had to drink. Stute’s attorney cross-examined the deputy about whether the recording differed from the deputy’s testimony.

breath test (PBT). Stute put his mouth on the PBT device but failed to blow. The deputy then arrested Stute for DWI, and respondent commissioner of public safety later revoked Stute's driver's license.²

Stute petitioned the district court to rescind his license revocation. The district court conducted an evidentiary hearing, and the parties submitted briefs after the hearing. Stute argued that he was illegally seized when the deputy opened the SUV door and grabbed his wrist. Stute also contended that probable cause was required to validly seize him because "there was no traffic stop, no complaint of improper driving conduct, no complaints or informative tip as it related to [Stute] at all." As for the deputy's belief that Stute was "possibly impaired," Stute argued that the deputy had a "hunch" and was "not certain." Stute alternatively argued that, if law enforcement lawfully seized Stute before the deputy opened the SUV door, the deputy lacked reasonable suspicion and impermissibly expanded the investigation when the deputy "open[ed] the door and force[d] entry, attempting to pull [Stute] out of the vehicle by his wrist."

The commissioner agreed that Stute "was seized when [the deputy] opened the door to [Stute's] vehicle in order to conduct field sobriety tests." The commissioner maintained, however, that the deputy needed reasonable suspicion to lawfully open a car door, not probable cause as Stute contended. The commissioner argued that Stute's seizure and the field sobriety tests were justified by the deputy's reasonable suspicion that Stute was an impaired driver based on the deputy's observations.

² The record does not include the criminal complaint or mention the statute that Stute allegedly violated.

The district court issued an order sustaining the revocation on February 1, 2024, which included factual findings. Relevant to the issues on appeal, the district court found that the deputy's testimony was credible. It also found that the deputy first approached Stute's SUV because the deputy was "unsure why" Stute "had parked behind his squad [car]." The district court found that the deputy asked Stute "several times to step out of the vehicle" and that Stute "continued to refuse." The district court also found that the deputy "attempted to help" Stute "out of his car" and that Stute "finally complied."

The district court determined that the deputy had "reasonable, articulable suspicion" that Stute was an impaired driver after the deputy observed Stute's bloodshot and watery eyes, slow physical movements, and lack of cooperation with "questions and requests." The district court concluded that "all of" the deputy's requests of Stute were "tied to and justified by" the deputy's reasonable suspicion that Stute was impaired. The district court also determined that "the expansion of the stop of [Stute's] vehicle was lawful."

Stute appeals.

DECISION

Under Minnesota's implied-consent law, when a peace officer certifies that probable cause existed to believe a driver was impaired and the officer also reports that the driver refused or failed a chemical test, the commissioner must revoke the driver's license. Minn. Stat. § 169A.52, subds. 3-4 (2022). The driver may petition for judicial review of their license revocation, including the officer's probable-cause determination. Minn. Stat. § 169A.53, subds. 2(a), 3(b)(1) (2022).

On appeal, Stute challenges the denial of his petition to rescind his license revocation, revising his district court argument somewhat because Stute no longer asserts that probable cause was required for the deputy to ask Stute to exit the SUV. Stute instead contends that the district court erred because (1) the deputy lacked reasonable suspicion of impairment and therefore unlawfully seized Stute when he opened Stute's door and (2) the deputy unreasonably expanded the scope and intensity of the investigative stop when he grabbed Stute's wrist. We review "a district court's determination regarding the legality of an investigatory traffic stop and questions of reasonable suspicion de novo." *Wilkes v. Comm'r of Pub. Safety*, 777 N.W.2d 239, 242-43 (Minn. App. 2010).

The United States and Minnesota Constitutions prohibit "unreasonable searches and seizures" by the government. U.S. Const. amend. IV; Minn. Const. art. 1, § 10. A seizure occurs when an officer's actions would cause a reasonable person to believe that they are not free to leave. *In re Welfare of E.D.J.*, 502 N.W.2d 779, 783 (Minn. 1993). A seizure may occur when an officer orders a person to stop, either on the street or while driving a vehicle. *Id.* at 782-83; *see State v. Riley*, 667 N.W.2d 153, 156 (Minn. App. 2003) (stating that "a vehicle stop is a seizure"), *rev. denied* (Minn. Oct. 21, 2003). An officer may lawfully conduct a brief investigative seizure or stop if it is supported by reasonable suspicion of criminal activity. *Terry v. Ohio*, 392 U.S. 1, 20-22 (1968); *State v. Askerooth*, 681 N.W.2d 353, 363 (Minn. 2004) (adopting the *Terry* framework for "evaluating the reasonableness of seizures during traffic stops").

In Minnesota, evidence obtained by law enforcement in violation of the constitution cannot be used in a civil implied-consent proceeding to sustain a license revocation, which

may result in the rescission of a driver's-license revocation. *See Ascher v. Comm'r of Pub. Safety*, 519 N.W.2d 183, 184, 187 (Minn. 1994) (holding that law enforcement obtained evidence of the appellant's intoxication from a sobriety checkpoint in violation of the Minnesota Constitution and overturning the district court's decision to sustain license revocation); *Olson v. Comm'r of Pub. Safety*, 371 N.W.2d 552, 556 (Minn. 1985) (affirming the rescission of a license revocation after determining that law enforcement did not have reasonable suspicion to justify the investigative stop under the Fourth Amendment).

Stute does not challenge the legality of the deputy approaching him and asking questions after Stute stopped behind the squad car. Generally, no seizure occurs when an officer walks up and speaks with a driver sitting in an already stopped car. *State v. Vohnoutka*, 292 N.W.2d 756, 757 (Minn. 1980). Instead, Stute appears to contend that he was seized when the deputy asked him to exit his SUV to perform field sobriety testing. Stute does not directly argue that the request to exit the SUV was unlawful, but Stute's brief to this court explicitly challenges as unlawful the deputy's acts of opening the SUV door and grabbing Stute's wrist.

The commissioner maintains that asking Stute to exit and perform field sobriety tests was a lawful investigative stop. The commissioner argues that the "facts here objectively support a reasonable belief" that Stute was an intoxicated driver, which justified the deputy's request that Stute exit the car, his opening of the SUV door, and his grabbing of Stute's wrist.

Here, the deputy conducted an investigative stop or seizure when he asked Stute to exit the SUV so that he could investigate Stute's impairment by performing field sobriety tests. *See Vondrachek v. Comm'r of Pub. Safety*, 906 N.W.2d 262, 269 (Minn. App. 2017) ("We evaluate the propriety of roadside sobriety testing as an investigatory expansion of a traffic stop rather than as a search."), *rev. denied* (Minn. Feb. 28, 2018). We therefore consider the reasonableness of the deputy's investigative stop of Stute and any expansion of the stop in two steps: (1) whether "the stop was justified at its inception" and (2) whether "the actions of the police during the stop were reasonably related to and justified by the circumstances that gave rise to the stop in the first place." *Askerooth*, 681 N.W.2d at 364 (applying *Terry*, 392 U.S. at 19-20).

To satisfy the first step, a law-enforcement officer must have reasonable suspicion of criminal activity based on specific, particularized, and objective facts. *State v. Diede*, 795 N.W.2d 836, 842-43 (Minn. 2011). While this is a "low hurdle," the officer's suspicion must be based on more than a mere hunch. *State v. Taylor*, 965 N.W.2d 747, 757 (Minn. 2021). The officer may rely on their training and experience to make deductions that might elude an untrained person in forming reasonable suspicion. *State v. Richardson*, 622 N.W.2d 823, 825 (Minn. 2001).

To satisfy the second step, "each incremental intrusion during a stop must be strictly tied to and justified by the circumstances which rendered the initiation of the stop permissible." *Askerooth*, 681 N.W.2d at 364 (quotation omitted). Thus, a stop supported by reasonable suspicion at the outset may become invalid "if it becomes 'intolerable' in its 'intensity or scope.'" *Id.* (quoting *Terry*, 392 U.S. at 17-18).

In other words, the reasonableness of an investigative stop turns on whether, with the facts available to the law-enforcement officer at each stage of the investigative stop, a person of reasonable caution would believe that the action taken was appropriate. *See id.* at 364-65. The reasonableness of the search or seizure is based on “a balancing of the government’s need to search or seize ‘and the individual’s right to personal security free from arbitrary interference by law officers.’” *Id.* at 365 (quoting *United States v. Brignoni-Ponce*, 422 U.S. 873, 878 (1975)).

I. The deputy reasonably suspected Stute’s impairment before asking him to exit the SUV.

Stute challenges the deputy’s acts of opening of the SUV door and grabbing Stute’s wrist as unlawful seizures or expansions of the investigative stop. In doing so, Stute specifically challenges the district court’s factual findings and legal determinations that the deputy reasonably suspected that Stute was impaired.³

In reviewing a district court’s order sustaining an implied-consent revocation, appellate courts will not set aside findings of fact unless they are clearly erroneous. *In re Source Code Evidentiary Hearings*, 816 N.W.2d 525, 537 (Minn. 2012); *see* Minn. R. Civ. P. 52.01. A district court’s factual findings are clearly erroneous when they are “manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a

³ At oral argument, Stute’s counsel was asked whether reasonable suspicion supported the deputy’s request for Stute to exit the SUV. He conceded, “For the [deputy] to ask [Stute] to exit the vehicle, I do believe so.” Stute’s brief, however, disputes the district court’s factual findings related to the reasonable-suspicion determination. To be thorough, this opinion addresses all three stages of the investigative stop, including the deputy’s request that Stute exit the SUV.

whole.” *Tonka Tours, Inc. v. Chadima*, 372 N.W.2d 723, 726 (Minn. 1985). We will “defer to the district court’s credibility determinations and ability to weigh the evidence.” *Constans v. Comm’r of Pub. Safety*, 835 N.W.2d 518, 523 (Minn. App. 2013).

With this standard of review in mind, we consider whether the district court’s factual findings were clearly erroneous and whether the deputy reasonably suspected that Stute was impaired before asking Stute to exit the SUV. Signs that a driver is intoxicated may provide reasonable suspicion to justify an investigative stop, including field sobriety testing. Minn. Stat. § 169A.41, subd. 1 (2022); *Mesenburg v. Comm’r of Pub. Safety*, 969 N.W.2d 642, 648 (Minn. App. 2021), *rev. denied* (Minn. Mar. 15, 2022). Only one objective sign of intoxication is needed to establish reasonable suspicion. *Holtz v. Comm’r of Pub. Safety*, 340 N.W.2d 363, 365 (Minn. App. 1983). “Common indicia of intoxication include an odor of alcohol, bloodshot and watery eyes, slurred speech, and an uncooperative attitude.” *State v. Kier*, 678 N.W.2d 672, 678 (Minn. App. 2004).

The district court focused on the deputy’s observations suggesting Stute’s intoxication. The district court credited the deputy’s testimony and found that “Stute’s speech was slow, he had bloodshot, watery eyes, and his physical movements, such as turning his head, were slow.” The district court also found that Stute was “uncooperative throughout [the deputy’s] questions and requests.” The district court concluded, based on these specific and objective facts, that the deputy reasonably suspected that Stute was impaired. The district court also concluded that the deputy’s request that Stute exit the SUV was lawfully “tied to and justified by [the deputy’s] continuing reasonable articulable suspicion that [Stute] was an impaired driver.”

Stute’s brief to this court argues that the district court clearly erred in its factual findings related to the deputy’s testimony about Stute’s suspected intoxication. Stute challenges whether the record evidence supports each sign of intoxication mentioned by the district court. Stute contends that the body-camera recording shows Stute’s speech and physical movements were “normal” and not slow and that Stute did not have “glassy or bloodshot eyes” during their initial encounter. The commissioner argues that Stute’s “disagreement with the district court’s factual findings and credibility determinations does not render them clearly erroneous or permit this court to ignore them.”

Stute made the same arguments about the deputy’s testimony during the district court proceedings and urged that the deputy was not credible. The district court found the deputy to be credible and determined that the body-camera recording corroborated the deputy’s testimony “where they overlap.” We defer to the district court’s credibility finding. *See Constans*, 835 N.W.2d at 523. The deputy testified that Stute showed signs of impairment—specifically, that Stute’s speech was slow, his eyes were bloodshot and watery, and his movements were “physically slow.” While the district court noted that the body-camera recording did not clearly show Stute’s eyes due to “the angle of the camera, the flashing emergency lights, and the lack of light at night,” the district court found that the body-camera recording corroborated the deputy’s testimony. We have reviewed the record, including the body-camera recording, and conclude that the record evidence supports the district court’s factual findings about Stute’s suspected impairment.

Stute emphasizes that the deputy encountered Stute while controlling traffic for a tow truck and not during a routine traffic stop. Stute argues that other indicia of impairment,

such as driving conduct, are not present here. He also contends that “it was reasonable” for Stute “to pull up behind [the deputy’s] squad car and be confused how to advance.” While Stute correctly recites the undisputed facts, Stute’s arguments do not alter our legal analysis.

Although a driver’s suspicious behavior might be explained by another cause, such as a minor distraction, “reasonable suspicion ‘need not rule out the possibility of innocent conduct.’” *Navarette v. California*, 572 U.S. 393, 403 (2014) (quoting *United States v. Arvizu*, 534 U.S. 266, 277 (2002)). Even if we assume that Stute was confused about the squad car’s position in the roadway, it merely explains why Stute stopped behind the squad car rather than going around it. And while the deputy did not observe Stute’s driving behavior before Stute stopped the SUV, this does not undercut the deputy’s observations that Stute showed signs of impairment when they first spoke.

Because reasonable suspicion of impairment requires that law enforcement detect at least one objective sign of impairment and the deputy observed more than one sign of Stute’s impairment during their initial encounter, we conclude that the deputy reasonably suspected that Stute was an impaired driver. Thus, the deputy made a lawful request for Stute to exit the SUV for field sobriety testing.

II. The deputy’s act of opening Stute’s SUV door was an additional intrusion justified by the deputy’s investigation of Stute’s impairment and his persistent uncooperative conduct.

Stute argues that there must be a “very particularized justification” for law enforcement to open a car door and that the deputy’s observation of “possible signs of impairment” did not meet this standard. Stute cites federal caselaw upholding the

reasonableness of a law-enforcement officer opening a car door for various reasons. *See, e.g., United States v. Meredith*, 480 F.3d 366, 371 (5th Cir. 2007) (officer opened vehicle door to visually inspect a driver who claimed to be physically unable to exit the car); *United States v. Ryles*, 988 F.2d 13, 15 (5th Cir. 1993) (officer opened vehicle door to determine whether a passenger could lawfully drive the appellant’s car).

Stute concedes that an officer’s act of opening of a car door “has been found lawful if there are enough facts to support a reasonable suspicion of criminal activity.” For example, the United States Supreme Court had held that, during an investigative stop, law enforcement may order a driver out of their car because the risk of the officer being assaulted outweighs the driver’s liberty interest in remaining in their car. *Pennsylvania v. Mimms*, 434 U.S. 106, 110-11 (1977). The Minnesota Supreme Court has held that there is “little practical difference” between an officer ordering a driver out of their car and an officer opening the car door and directing the driver to exit, because the same officer-safety concern applies. *State v. Ferrise*, 269 N.W.2d 888, 890 (Minn. 1978).

An officer’s act of opening a car door, however, is an additional “intrusion” subject to a reasonableness inquiry. *See id.* at 891.⁴ Thus, an officer conducting a valid

⁴ Stute points out that no emergency-aid exception to the warrant requirement applies to the deputy’s act of opening Stute’s SUV door. He suggests that, without the emergency-aid exception, probable cause is required before law enforcement may open a car door. The commissioner does not contend that the emergency-aid exception applies here.

Under the emergency-aid exception, an officer may open a car door if they reasonably believe there is an ongoing emergency and they have some “reasonable basis, approximating probable cause, to associate the emergency with the area or place to be searched.” *Ries v. State*, 920 N.W.2d 620, 632 (Minn. 2018) (quotation omitted); *see Overvig v. Comm’r of Pub. Safety*, 730 N.W.2d 789, 792-93 (Minn. App. 2007) (applying the emergency-aid exception to an implied-consent case), *rev. denied* (Minn. Aug. 7,

investigative stop may open a car door if doing so is justified by (1) the original purpose of the investigation, (2) independent probable cause, or (3) reasonableness. *See Askerooth*, 681 N.W.2d at 365.

Askerooth illustrates how to apply this reasonableness inquiry to a series of intrusive steps during an investigative stop. *Id.* In that case, a law-enforcement officer stopped a driver for failing to obey a stop sign. *Id.* at 356-57. The officer learned that Askerooth did not have a license, asked Askerooth to exit his van, and conducted a pat search for weapons. *Id.* at 357. The officer then confined Askerooth to the back of the squad car and later charged Askerooth with drug possession based on drugs found in the squad car. *Id.* The officer testified that Askerooth “was cooperative and did not do anything to arouse his suspicion or lead him to believe” that Askerooth was dangerous. *Id.* at 358. The officer also testified that he placed Askerooth in the squad car so he would not have to “go back and forth between the vehicles” while verifying Askerooth’s identity. *Id.* at 365.

In reviewing the district court’s denial of Askerooth’s motion to suppress, the supreme court reasoned that Askerooth’s confinement to the squad car could not be justified by the original reason for the stop and lacked independent probable cause. *Id.* When discussing the reasonableness of the additional intrusion, the supreme court held that Askerooth’s liberty interest in being free from unreasonable seizures outweighed the government’s nominal interest in “officer convenience.” *Id.* at 365-66. Accordingly, the

2007). We agree with the parties that the emergency-aid exception does not apply to the deputy’s act of opening Stute’s SUV door.

supreme court concluded that confining Askerooth to the back of the squad car was unreasonable and unconstitutional and reversed the conviction. *Id.* at 369-70.

Unlike the officer's conduct in confining Askerooth to the squad car, the deputy's act of opening Stute's SUV door was justified by the original purpose of the stop: to investigate whether Stute was driving while impaired. After the deputy observed multiple signs of intoxication, the deputy asked Stute to place his SUV in park and exit the SUV to perform field sobriety tests. Stute then rolled up his window, kept his hands on the steering wheel, and looked forward while the deputy repeated his requests. Stute asked the deputy, "Why?" three times and did not turn the SUV off. The body-camera recording shows that Stute made no effort to step outside even after the deputy asked Stute five times to exit the SUV. As the district court explained, Stute "was uncooperative throughout [the deputy's] questions and requests." Stute's repeated refusal to cooperate with the deputy's requests that he exit the SUV and Stute's lack of communication strengthened the deputy's "reasonable articulable suspicion that [Stute] was an impaired driver."

After waiting 50 seconds for Stute to comply, the deputy opened the SUV door. Because the deputy's opening of Stute's SUV door was tied to and justified by the deputy's request for Stute to exit and participate in field sobriety tests so that the deputy could investigate Stute's suspected impairment, we conclude that opening the SUV door was reasonable and lawful. In short, the government's interest in protecting public safety outweighed Stute's liberty interest in remaining in his SUV. *See id.* at 365. Consequently, the additional intrusion of opening the SUV door was objectively reasonable under the

circumstances. *See id.* Therefore, the deputy lawfully opened Stute's SUV door during the investigative stop.

III. Based on these particular facts, the deputy's act of grabbing Stute's wrist was reasonable.

According to Stute's brief to this court, the body-camera recording shows that the deputy "reach[ed] over" Stute, "grab[bed]" Stute's right wrist, and "attempt[ed] to pull him out of the vehicle." Stute argues that the deputy unreasonably expanded the investigative stop when he grabbed Stute's wrist. He maintains that this additional intrusion made the stop "intolerable in its intensity or scope" under *Askerooth*. *Id.* at 364 (quotation omitted).

The added intrusion of grabbing a driver's wrist during an investigative stop is also governed by reasonableness. *See id.* at 364-65. To determine whether an officer used unreasonable force to seize a defendant requires "a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interests against the countervailing governmental interests at stake." *Graham v. Connor*, 490 U.S. 386, 396 (1989) (quotations omitted). An appellate court must consider the totality of the circumstances, including "the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether [the suspect is] actively resisting arrest or attempting to evade arrest by flight." *Id.* (citing *Tennessee v. Garner*, 471 U.S. 1, 8-9 (1985)). Reasonableness is assessed based on the objective perspective of a reasonable officer on the scene, without perfect hindsight. *Id.*

As discussed, the deputy reasonably suspected that Stute was an impaired driver. Stute did not comply with the deputy's many requests that he exit the SUV, put it in park,

or turn off the ignition. Because Stute was stopped behind the deputy's squad car at night on a public road, Stute's potential intoxication and refusal to comply with the DWI investigation posed an immediate danger to himself and others.

The parties dispute the "nature and quality" of the additional intrusion imposed when the deputy grabbed Stute's wrist. *Id.* (quotation omitted). Stute contends that the deputy grabbed his wrist and held onto it for "a long period of time." Stute argues that the deputy's "primary purpose was to force [Stute] to perform standardized field sobriety testing."

The commissioner contends that the deputy's actions amounted to "briefly grasping" Stute's wrist and that the deputy "grasped [Stute's] wrist for approximately 11 seconds, and then released it without incident." The commissioner notes that Stute "exited the car himself" and argues that grabbing Stute's wrist "was a minimally intrusive means of furthering [the deputy's] investigation" of driver impairment.

The district court found that the deputy "opened the door and *attempted to help* [Stute] out of his car and [Stute] finally complied." (Emphasis added.) But the district court did not expressly determine whether the deputy's act of grabbing Stute's wrist was reasonable under the totality of the circumstances.

Based on our review, the body-camera recording shows that the deputy grabbed Stute's wrist and held it for 13 seconds while repeatedly asking Stute to step out of the SUV. The deputy then released Stute's wrist, and Stute stepped out of the SUV on his own. The record does not support Stute's claim that the deputy pulled him from the SUV. Rather, the record supports the district court's inference that the deputy "attempted to help" Stute

exit the SUV. Thus, the district court's findings are not clearly erroneous and support its conclusion that the deputy sought to assist Stute when he grabbed his wrist.

We also conclude that the deputy's act of briefly grabbing Stute's wrist posed a minimal intrusion on Stute's liberty interests and that any intrusion is outweighed by the government's interest in investigating an uncooperative, potentially impaired driver. The investigation of driver impairment is a "compelling" governmental interest. *Bendorf v. Comm'r of Pub. Safety*, 727 N.W.2d 410, 417 (Minn. 2007). Impaired drivers pose a "severe threat" to the public. *Heddan v. Dirkswager*, 336 N.W.2d 54, 63 (Minn. 1983).

To summarize our decision, the deputy conducted an investigative stop when he questioned Stute and asked him to exit the SUV to perform field sobriety testing. Reasonable suspicion of Stute's impairment supported the deputy's request for Stute to exit the SUV. The deputy's act of opening Stute's SUV door was reasonable and justified by the deputy's DWI investigation and Stute's repeated refusal to comply with the deputy's request that he exit the SUV. And finally, the deputy's act of grabbing Stute's wrist was reasonable under the circumstances because it facilitated Stute's exit from the SUV. For all of these reasons, the district court did not err when it sustained Stute's license revocation.

Affirmed.