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**Couple's run-in with CHP now a federal case**  
**The silver-hauling truckers face charges of blocking inspection.**

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By Denny Walsh

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--When the stagecoaches rolled out of 19th century mining towns laden with gold and silver, there was always the chance that bandits were waiting.

But on one recent occasion, the drivers of a modern-day stagecoach carrying \$10 million of the government's silver bullion found the California Highway Patrol more of a problem than highwaymen.

Fonzie Crain and his wife, Pamela Crain, began the climb over the Sierra Nevada range on an April afternoon in an armored truck loaded with the bullion.

Within minutes of wheeling the heavy vehicle into the Donner Pass weigh station on westbound Interstate 80 at Truckee, the couple had a gun pointed at them, Pamela Crain was under arrest and on her way to jail in Nevada City, and Fonzie Crain had been arrested, cited and released at the scene.

What are their alleged crimes?

They wouldn't immediately produce the truck's log book, bill of lading and other documents for inspection.

The confrontation has now mushroomed into a federal case, in which the Crains and their lawyer are accusing a CHP officer of overreacting, and he is claiming the couple provoked the incident.

The Nevada County District Attorney's Office charged the Crains in May in separate misdemeanor criminal complaints with obstructing uniformed CHP Officer J. McDonald.

In a rarely used procedure, the couple's attorney, Matthew Jacobs, countered Monday with a transfer of the prosecutions to U.S. District Court. Jacobs, formerly second in command of the U.S. Attorney's Office in Sacramento, cited a statute that allows such a move if a defendant is acting under the direction of a federal officer at the time of an alleged offense.

No dates have been set in the cases.

CHP spokesman Tom Marshall said Tuesday that the agency has launched an internal investigation of the matter in response to a complaint from Jacobs. Marshall would not comment beyond that.

"The courts and our investigation are the places to sort this out," he said.

McDonald did not respond to a message left at the weigh station.

The Crains are employed by Denver-based United States Armored Carriers, which hauls gold and silver bullion for the U.S. Mint. They were on their way from a bullion producer in Connecticut to the San Francisco mint.

According to Jacobs, they work under tight security imposed by federal regulations. While the truck is stopped, an armed driver must be in it, Jacobs said. In addition, he said, the drivers may not open the cargo compartment outside the presence of a Secret Service agent or Bureau of Engraving and Printing security officer.

The drivers must maintain strict confidentiality regarding their shipments, the attorney added.

When an inspector at the weigh station asked Pamela Crain, who was driving the truck, for the vehicle's log book, she said she would have to get permission from her supervisor before turning it over, according to Jacobs.

The inspector's report, however, says Crain simply "exclaimed 'No,' that she could not, because she was operating an armored truck, and slammed the door." The inspector summoned McDonald, who wound up pulling his gun and pointing it at the couple when he thought Fonzie Crain might have been reaching for a weapon in the truck.

McDonald called four other officers to the scene, announced to the Crains that they were under arrest and ordered them out of the truck.

They didn't move, so McDonald attempted a control hold on Pamela Crain's arm, according to his report.

"She forcefully pushed me back and slammed the driver door shut," he related. "The driver's door struck my left shoulder, causing injury to myself." The Crains finally exited the truck and were arrested, the report says.

But Jacobs said Pamela Crain obtained permission to turn over the documents, stepped out of the truck to do so and was immediately placed under arrest.

Departing from the truck's designated route, Fonzie Crain drove to Nevada City where, using his supervisor's credit card, he was able to bail his wife out of jail late that night.

Pamela Crain is charged with assaulting and obstructing a peace officer and refusing to submit a commercial vehicle to inspection. Fonzie Crain is charged with obstruction and refusal to allow the inspection.

Nevada County District Attorney Michael Ferguson referred a request for comment to Fred Holmes, his senior deputy in Truckee, where the cases were filed. Holmes did not respond to a message left at his office.

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