COURT OF COMMON PLEAS
CLERMONT COUNTY, OHIO

STATE OF OHIO	:	
Plaintiff	:	**CASE NO. 2018 CR 00509**
vs.	:	**Judge McBride**
HEIDI L. MAHON	:	**DECISION/ENTRY**
Defendant	:	

Carol Rowe, assistant prosecuting attorney for the state of Ohio, 76 S. Riverside Drive, 2nd Floor, Batavia, Ohio 45103.

Greg Hoffman, assistant public defender and counsel for the defendant Heidi L. Mahon, 302 East Main Street, Batavia, Ohio 45103.

This cause is before the court for consideration of the motion filed by the defendant Heidi L. Mahon on September 24, 2018. In the motion, it is alleged that statements made by the defendant to the police were involuntary and are therefore inadmissible. The state did not file a response.

The court held an evidentiary hearing on the motion on November 5th, and after the presentation of evidence, counsel made oral arguments as to the motion. At the conclusion of the hearing, the court took the motion under advisement.

Upon consideration of the motion, the record of the proceedings, the evidence presented for the court's consideration, the oral and written arguments of counsel, and the applicable law, the court now renders this written decision.

STANDARD OF REVIEW

A motion to suppress is defined as "a device used to eliminate from a criminal trial evidence that has been secured illegally, generally in violation of the Fourth Amendment (search and seizure), the Fifth Amendment (privilege against self-incrimination), or the Sixth Amendment (right to assistance of counsel, right of confrontation, etc.) of the United States Constitution."[1] When a defendant's motion to suppress is successful, the principal remedy for a constitutional violation is to exclude the evidence from the criminal trial.[2]

Pursuant to Crim.R. 12(C), before trial "any party may raise by motion any defense, objection, evidentiary issue, or request that is capable of determination without the trial of the general issue." A motion to suppress evidence "on the ground that it was illegally obtained" must be made prior to trial.[3]

In filing a motion to suppress, the defendant "shall state with particularity the grounds upon which it is made and shall set forth the relief or order sought."[4] The defendant must "state the motion's legal and factual bases with sufficient particularity to

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[1] *State v. Scruggs*, 12th Dist. Clinton No. CA2005-11-042, 2007-Ohio-6416, ¶ 4, citing *State v. French*, 72 Ohio St.3d 446, 449-50 (1995).
[2] *State v. Haines*, 12th Dist. Clermont No. CA2003-02-015, 2003-Ohio-6103, ¶ 8.
[3] Crim.R. 12(C).
[4] *State v. Way*, 12th Dist. Butler No. CA2008-04-098, 2009-Ohio-96, ¶ 7, quoting Crim.R. 47.

place the prosecutor and the court on notice of the issues to be decided."[5] Where the motion is challenging the voluntariness of a statement, as in the within case, the burden is on the state to show by a preponderance of the evidence that the defendant's statement was voluntarily given.[6]

A motion to suppress typically "presents mixed questions of law and fact."[7] In reviewing such a motion, "the trial court, as the trier of fact, is in the best position to weigh the evidence in order to resolve factual questions and evaluate witness credibility."[8]

FINDINGS OF FACT

The court makes the following findings of fact based on the evidence that it found to be admissible, credible, and reliable as presented during the motion hearing:

On April 21, 2018, during the daytime hours, Sgt. Steve Teague was on road patrol in the Village of Bethel. He was dispatched to 254 East Plane Street, Apt. #8, at 10:36 a.m., and he arrived there at approximately 10:40 a.m.

Sgt. Teague was dispatched to check on the welfare of a male individual, Shaun Henderson, who reportedly had stopped conversing with the defendant in this case.

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[5] *Way*, 2009-Ohio-96 at ¶ 7, quoting *State v. Wood*, 12th Dist. Clermont No. CA2007-12-115, 2008-Ohio-5422, ¶ 10.
[6] *State v. Jones*, 2nd Dist. Montgomery No. 26289, 43 N.E.3d 833, 2015-Ohio-4116, at ¶ 15, citing *State v. Melchior*, 56 Ohio St.2d 15, 381 N.E.2d 195 (1978).
[7] *State v. Codeluppi*, 139 Ohio St.3d 165, 2014-Ohio-1574, 10 N.E.3d 691, ¶ 7, citing *State v. Burnside*, 100 Ohio St.3d 152, 2003-Ohio-5373, 797 N.E.2d 71, ¶ 8.
[8] *State v. Deluca*, 12th Dist. Butler No. CA2016-03-055, 2017-Ohio-1235, ¶ 9, citing *State v. Vaughn*, 12th Dist. Fayette No. CA2014-05-012, 2015-Ohio-828, ¶ 9. *See Codeluppi*, 2014-Ohio-1574 at ¶ 7, citing *Burnside*, 2003-Ohio-5373 at ¶ 8 (explaining that when the trial court reviews a motion to suppress "the court assumes the role of trier of fact and is therefore in the best position to resolve factual questions and evaluate the credibility of witnesses.").

When Sgt. Teague arrived at the address given, which is an apartment building, he observed that the front door to the building was propped open with a landscaping rock. He found this to be unusual, because normally the door was closed and locked.

Sgt. Teague entered the building, went to Apt. #8, and knocked on the door. When he received no response, he asked the dispatcher to call the complainant back and ask if he could have permission to enter the apartment to check on the welfare of the male individual. Permission was granted, and Sgt. Teague proceeded to enter the apartment.

The apartment was dark, so Sgt. Teague used his flashlight to illuminate the interior of the apartment. Proceeding from the front of the apartment, which was the living room, he eventually arrived at the back of the apartment where he found a male individual who was inert on the floor. Sgt. Teague immediately requested the assistance of EMS, and he rolled the individual over to perform CPR. However, he discovered that the individual, who was Shawn Henderson, was already deceased.

Henderson appeared to have a foamy substance emanating from his mouth, which Sgt. Teague recognized was consistent with a drug overdose. While he was awaiting assistance from EMS, he started to look for evidence that would explain the cause of the individual's death. There was nobody else in the apartment, and Sgt. Teague began looking for drug paraphernalia such as needles, cotton swabs, etc. While he suspected an overdose, he found very few items consistent with a drug overdose other than track marks in the individual's eyelid area and a fresh track mark on his left arm.

The defendant, accompanied by an older male and the defendant's child, arrived at the apartment building some time later. By that time, EMS and two deputy sheriffs had arrived and had secured the crime scene. Sgt. Teague went outside and spoke to the

defendant. When he told her that Henderson was deceased, she started crying. Sgt. Teague asked for her statement as to what had occurred, and she wrote out a statement for him. In the statement, she said that she had gone to McDonald's and had lost contact with Henderson. She had then gone to her grandmother's house about a mile away and called the police department to check on his welfare.

This initial contact between the defendant and Sgt. Teague lasted approximately five minutes. Sgt. Teague left to go back to the apartment, and about ten minutes later, he came back and questioned the defendant about her written statement. Before doing so, he requested that she take a seat in the back of his police vehicle, which was parked near the front door to the apartment building, and she acceded to his request. He then spoke to her while he was standing next to her just outside the car, and the passenger door was left open.

Sgt. Teague explained to the defendant that he found the following facts to be inconsistent with her written statement: (1) The door was open to the building, (2) The door to the apartment was unlocked, which was unusual, (3) There was an absence of any drug paraphernalia that would explain Henderson's death, and (4) She was only a mile away but asked for a check on Henderson's welfare. At that point, the defendant began to cry again. Sgt. Teague said to her: "I'm not looking to charge you if you want to change your story. What you're telling me is not consistent with what I'm seeing, and I just want to find the truth." He told her that in his opinion someone had been in the apartment and had cleaned the drug paraphernalia out prior to his arrival at the scene.

The defendant responded that she had arrived home after she lost contact with Henderson and found him to be deceased. According to the defendant, she had then

"cleaned up" the apartment because she was afraid that she was going to get in trouble because of his death occurring at her apartment. Sgt. Teague requested that the defendant write a second statement that incorporated the facts that she had just related. She did so, and the entire time of this second contact was approximately 5 minutes or slightly more.

Sgt. Teague's demeanor during both of his contacts with the defendant was calm but persistent. The defendant at the time was 24 years old, she had one young child, and she was pregnant with another child, whose father was Henderson. Sgt. Teague did not threaten the defendant at any time and told her he was looking for the truth. Although he told her that he was not looking to charge her for falsifying her first statement, he never told her that he would not file any charge against her arising out of this incident. In particular, he never told her that he would not charge her with tampering with evidence.

The defendant's prior experience with Sgt. Teague was limited to an instance the previous January when she called the police concerning a drug paraphernalia kit that she had found inside her apartment. There were no drugs in the kit, and Henderson, with whom she was living at the time, was not there, so Sgt. Teague confiscated the paraphernalia. At that time, he cautioned the defendant that if children had been there and drugs were found, the authorities could remove her children from her care. However, he just filed a report that she had found it in her apartment, and no charges were filed at that time.

At the time of the occurrence of the incident in this case, the defendant believed that the authorities could take her children from her, and she had in mind her own

experience where she had been removed when she was a child from her parents and placed in foster care.

On June 19, 2018, the defendant Heidi L. Mahon was indicted on one count of tampering with evidence in violation of R.C. 2921.12(A)(1), a felony of the third degree.

LEGAL ANALYSIS

The defense has not argued, and the court does not believe, that the defendant was subject to custody at the time she spoke with Sargent Teague. Even so, when a defendant makes a confession, it must have been voluntarily made in order to be admissible.

The Due Process Clause of the United States Constitution requires an additional inquiry into "whether the defendant's will was overborne by the circumstances surrounding the giving of his confession."[9] In other words, whether a defendant's statements were voluntary is a separate issue from whether the defendant had been properly administered his *Miranda* rights.[10] This analysis is triggered when "the interrogators" employ an "inherently coercive tactic (e.g. physical abuse, threats, deprivation of food, medical treatment, or sleep) * * *,"[11] or, alternatively, when the

[9] *Johnson*, 2016-Ohio-7266 at ¶ 76, quoting *State v. Kelly*, 2d Dist. Greene No. 2004-CA-20, 2005-Ohio-305, ¶ 10.
[10] *Johnson*, 2016-Ohio-7266 at ¶ 76, quoting *State v. Chase*, 55 Ohio St.2d 237, 246 (1978).
[11] *Johnson*, 2016-Ohio-7266 at ¶ 77, quoting *State v. Clark*, 38 Ohio St.3d 252, 261 (1998).

defendant challenges the voluntariness with a motion to suppress.[12] The state must prove, by a preponderance of the evidence, that the confession was voluntary.[13]

A statement is voluntary when "it is 'the product of an essentially free and unconstrained choice by its maker.'"[14] To determine whether a statement is involuntary, which is to say that it "* * * has been elicited by means that are unconstitutional, [the] court looks to the totality of the circumstances concerning whether a defendant's will was overborne in a particular case."[15] The totality of the circumstances includes "the age, mentality, and prior criminal experience of the accused; the length, intensity, and frequency of interrogation; the existence of physical deprivation or mistreatment; and the existence of threat or inducement."[16]

Courts have deemed several interrogative tactics unproblematic and permissible. An interrogator can repeatedly tell a defendant that the interrogator believes the defendant is lying and may question his credibility.[17] Likewise, an interrogator's use of leading questions is not coercive.[18]

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[12] *State v. Hensley*, 12th Dist. Clermont No. 99-03-24, 1999 WL 1037812, *2 (Nov. 8, 1999), citing *Lego v. Twome*, 404 U.S. 477, 489, 92 S.Ct. 619 (1972).
[13] *Fille*, 2002-Ohio-3879 at ¶ 22, citing *Colorado v. Connelly*, 479 U.S. 157, 167-168, 107 S.Ct. 515 (1986).
[14] *State v. Liso*, 12th Dist. Brown No. CA2012-08-017, 2013-Ohio-4759, ¶ 11, quoting *State v. Wiles*, 59 Ohio St.3d 71, 81 (1991).
[15] *U.S. v. Johnson*, 351 F.3d 254, 260, 2003 Fed.App. 0406P (6th Cir. 2003), quoting *United States v. Mahan*, 190 F.3d 416, 422 (6th Cir. 1999).
[16] *State v. Moore*, 12th Dist. No. CA2017-07-110, 2018-Ohio-1778, 112 N.E.3d 1, ¶ 26, citing *State v. Edwards*, 49 Ohio St.2d 31, 358 N.E.2d 1051 (1976), paragraph two of the syllabus, *vacated on other grounds*, 438 U.S. 911, 98 S.Ct. 3147, 57 L.Ed.2d 1155 (1978). *See Lynch*, 2003-Ohio-2284 at ¶ 54, quoting *State v. Mason*, 82 Ohio St.3d 144, 154, 694 N.E.2d 932 (1998) (holding same).
[17] *In re M.J.C.*, 12th Dist. Butler No. CA2014-05-124, 2015-Ohio-820, ¶ 18, citing *In re N.J.M.*, 12th Dist. Warren CA2010-03-026, 2010-Ohio-5526, ¶ 25.
[18] *In re M.J.C.*, 2015-Ohio-820 at ¶ 18, quoting *State v. Lewis*, 7th Dist. Mahoning No. 03 MA 36, 2005-Ohio-2699, ¶ 15.

A "promise of leniency" from police and "threats of prosecution *can* be objectively coercive."[19] So too, a promise of "immediate release" can also be "so attractive as to render a confession involuntary."[20] However, "[u]nder the totality of the circumstances standard, the presence of promises does not as a matter of law, render a confession involuntary."[21] Instead, "a promise of leniency must be coupled with other factors to render a confession involuntary under the totality of the circumstances test."[22]

Moreover, a promise of leniency is not coercive if it is not broken or not illusory.[23] "The line to be drawn between permissible police conduct and conduct deemed to induce or tending to induce an involuntary statement depends upon the nature of the benefit to be derived by a defendant if he speaks the truth."[24]

"Similarly, assurances that a defendant's cooperation will be considered or that a confession will be helpful do not invalidate a confession."[25] So too, a "mere suggestion that cooperation might result in more lenient treatment is neither misleading nor unduly coercive, as people 'convicted of criminal offenses generally are dealt with more leniency

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[19] (Emphasis added.) *Johnson*, 351 F.3d at 216. *But see State v. Jackson*, 12th Dist. Butler No. CA2002-01-013, 2002-Ohio-5138, ¶ 14 (Citation omitted.) ("Promises that a defendant's cooperation might be considered in the disposition of the case or that a confession would be helpful will not invalidate an otherwise legal confession.").

[20] *Johnson*, 351 F.3d at 216, quoting *U.S. v. Wrice*, 954 F.2d 406, 210-411 (6th Cir. 1992).

[21] (Internal quotations omitted.) *In re N.J.M.*, 2010-Ohio-5526 at ¶ 25, quoting *State v. Edwards*, 49 Ohio St.2d 31, 41, 358 N.E.2d 1051 (1975).

[22] *Hensley*, 1999 WL 1037812 at *2, citing *Edwards*, 49 Ohio St.2d 31, 41 (1976).

[23] *Johnson*, 351 F.3d at 262. In *Johnson*, the Sixth Circuit Court of Appeals found that a promise to the defendant not to prosecute his sister was not coercive because the police did not prosecute the sister, and therefore the promise was unbroken.

[24] *State v. Mason*, 12th Dist. Butler Nos. CA2004-06-164, CA2004-06-164, 2005-Ohio-2918, ¶ 50, citing *State v. Arrington*, 14 Ohio App.3d 111, 115, 470 N.E.2d 211.

[25] *Huysman*, 2006-Ohio-2245 at ¶ 22, citing *State v. Loza*, 71 Ohio St.3d 61, 67, 1994-Ohio-409.

when they have cooperated with the authorities.'"[26] "Likewise, an investigator's offer to help if a defendant confesses is not improper."[27]

Additionally, whether the police use deception bears upon voluntariness.[28] However, the presence of deception is not dispositive of whether a confession was voluntary.[29] Furthermore, a defendant's "will is not overborne simply because he was led to believe that the government's knowledge of his guilt is greater than it actually is."[30]

For instance, the Twelfth District Court of Appeals considered a fact pattern involving potential promises or deception in *State v. Liso*, 12th Dist. Brown No. CA2012-08-017, 2013-Ohio-4759. In that case, the defendant argued on appeal that his confession at a police station was involuntary because, prior to his confession, two detectives discussed the possibility of charging him with less than a first degree felony if the alleged sexual contact the defendant had with his child victim was not forced.[31] The appellate court acknowledged that deception is a factor considered in assessing voluntariness, but it found significant that the detective never "promise[d] Liso that he would not be charged with a serious crime or would not be subject to long-term

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[26] *Huysman*, 2006-Ohio-2245 at ¶ 22, quoting *State v. Stringham*, 2d Dist. Miami No. 2002-CA-9, 2003-Ohio-1100, ¶ 16. *See Mason*, 2005-Ohio-2918 at ¶ 51, citing *Arrington*, 14 Ohio App.3d at 115 ("Improper inducements are not present, however, when the only benefit pointed out to a suspect is that which flows naturally from a truthful and honest course of conduct.").
[27] *Huysman*, 2006-Ohio-2245 at ¶ 22, citing *Stringham* at ¶ 16. *See Fille*, 2002-Ohio-3879 at ¶¶ 25, 36 (finding that a defendant's confession was voluntary when the interviewers made frequent remarks to the defendant to help him and stated that they could "probably work this thing out" if the defendant had, in fact, committed the crime he was being questioned for, raping a baby).
[28] *Lynch*, 2003-Ohio-2284 at ¶ 61, citing *Schmidt v. Hewitt*, 573 F.2d 794, 801 (3d Cir. 1978).
[29] *Lynch*, 2003-Ohio-2284 at ¶ 61, quoting, *State v. Wiles*, 59 Ohio St.3d 71, 81, 571 N.E.2d 97 (1991). *See Liso*, 2013-Ohio-4759 at ¶ 15, quoting *Lynch*, 2003-Ohio-2284 at ¶ 61 ("While police deception is 'a factor bearing on voluntariness * * * this factor, standing alone, is not dispositive of the issue.'").
[30] *In re N.J.M.*, 12th Dist. Warren, 2010-Ohio-5526 at ¶ 26, quoting *State v. Bays*, 87 Ohio St.3d 15, 23, 716 N.E.2d 1126 (1999).
[31] *Liso*, 2013-Ohio-4759 at ¶ 13.

imprisonment."[32] The court found that other factors weighed "heavily" in favor of finding the statement to be voluntary, including the fact that there was no evidence of physical abuse or deprivation, the defendant had ample free movement and received a restroom break, the record did not reflect that the defendant had any cognitive deficits, the defendant voluntarily went to the police station for an interview, and this was his second interview.[33]

The Twelfth District Court of Appeals also examined potential deception and promises in *In re N.J.M.*, 12th Dist. Warren No. CA2010–03–026, 2010-Ohio-5526. The defendant appealed on the basis that his confession was involuntary.[34] During the police interview, the detective told the defendant: "If you're honest with me and you say yeah this is what happened and you tell me everything that happened and honestly, what do you think your chances are of staying out of jail? Quite a bit better, quite a bit better."[35] The court found that "this does not rise to the level of an implied promise of leniency or benefit in order to induce appellant to make an inculpatory statement."[36] The court noted that the defendant's interview was not lengthy, intense, or frequent, as it only lasted 35 minutes.[37] Further, it was unproblematic that the detective repeatedly told the defendant throughout the interview that he was not being truthful, because admonitions to tell the truth are permissible.[38]

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[32] Id. at ¶ 15.
[33] Id. at ¶¶ 13-14.
[34] *In re N.J.M.*, 12th Dist. Warren No. CA2010-03-026, 2010-Ohio-5526.
[35] Id. at ¶ 24.
[36] Id.
[37] Id. at ¶ 25.
[38] Id.

Next, the court examined whether deception was used when the detective told the defendant that he had physical evidence linking the defendant to the crime when, in fact, testing failed to reveal the defendant committed an offense.[39] However, because a defendant's will is not overborne because interrogators lead him to believe that they have more evidence of the defendant's guilt than they actually do, the detective's statement to the defendant regarding physical evidence was not problematic.[40] The court found that the defendant's confession was not involuntary although he was only 13 at the time he was interviewed, had no prior criminal experience, had an IQ of 67, was found to have delayed cognitive and emotional development, and the detective made the above statements to him.[41]

In *State v. Huysman*, 12th Dist. Warren No. CA2005-09-107, 2006-Ohio-2245, the Twelfth District Court of Appeals again examined whether a defendant's confession to a detective at a police station was involuntary. While interviewing the defendant, the detective told the defendant that he could file one charge against the defendant, "or let it go to five separate charges within two counties."[42] The appellate court found that the detective did not deceive the defendant by telling him that he could file only one theft charge because he did, in fact, only file one count of theft against the defendant.[43]

Moreover, the detective's statements to the defendant that he did not believe the defendant and that this was the defendant's one chance to avoid multiple felony charges was "merely" an admonishment to the defendant to "tell the truth."[44] The court also

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[39] Id. at ¶ 26.
[40] Id.
[41] Id. at ¶¶ 28-29.
[42] *Huysman*, 2006-Ohio-2245 at ¶ 5.
[43] Id. at ¶ 24.
[44] Id.

considered that the defendant was not physically threatened or harmed or deprived of food, medical treatment or sleep, and the interview took place in under 45 minutes.[45] Upon reviewing the totality of the circumstances, the court concluded that the detective's interrogation tactics were not so improper or coercive that the defendant's will was overborn or that his capacity for self-determination was critically impaired as a result.[46]

In the present case, the defendant claims that her statements were involuntary because Sgt. Teague told the defendant: "I'm not looking to charge you if you want to change your story. What you're telling me is not consistent with what I'm seeing and I just want to find the truth." She also cites to her inexperience with the criminal justice system, and her belief that her children could be removed from her home if drug paraphernalia was found.

Upon reviewing the totality of the circumstances, the court finds that the defendant's will was not overborne, and her statements were voluntary. Although the defendant had no criminal experience, she was an adult at the time of her confession. There is no indication that the defendant lacked the cognitive ability to completely understand the nature of the circumstances or the significance of her statement to Sgt. Teague. The interview itself was brief, consisting of two five minute questioning periods which were ten minutes apart.[47] Although the defendant was distraught, Sgt. Teague did

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[45] Id. at ¶ 23.
[46] Id. at ¶ 25. *See State v. Ross*, 12th Dist. Butler No. 82-01-0003, 1982 WL 3267, *1-3 (Nov. 3, 1982) (finding the defendant's statement voluntary even though the detective told the defendant that if he could put the defendant's accomplices into the detective's hands then he would only be charged with complicity to aggravated robbery as opposed to aggravated murder).
[47] *See Liso*, 2013-Ohio-4759 at ¶ 13 (noting the fact that the interview with the defendant was less than two hours as a factor weighing in favor of finding that his confession was not involuntary); *Huysman*, 2006-Ohio-2245 at ¶ 23 (opining that the defendant's interview, which lasted 45 minutes, was "not particularly lengthy").

not mistreat or physically deprive the defendant. His demeanor during the questioning was calm.

As to threats and potential inducements, Sgt. Teague did not threaten the defendant in any way. Moreover, as cited above, a promise of leniency is not, in and of itself, dispositive of whether a confession was voluntary.[48] Sgt. Teague told the defendant: "I'm not looking to charge you if you want to change your story. What you're telling me is not consistent with what I'm seeing, and I just want to find the truth." He did not promise the defendant she would not be charged with tampering with evidence. He also did not promise that she would not be charged with any crime at all. And although the defendant believed her children could be taken from her if drug paraphernalia was found, Sgt. Teague did not threaten to take her children from her on April 21st.

Rather, Sgt. Teague's statement implied that his questions were *not* aimed at finding evidence to charge the defendant with providing a false statement. He was implying that he wanted to ascertain the truth in his investigation. And indeed, Sgt. Teague did not charge the defendant with providing a false statement. Thus, upon reviewing the totality of the circumstances, the court finds that the defendant's confession to Sgt. Teague was voluntary.

CONCLUSION

For the foregoing reasons, the defendant's motion to suppress is not well-taken and denied.

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[48] *In re N.J.M.*, 2010-Ohio-5526 at ¶ 25, quoting *Edwards*, 49 Ohio St.2d at 41.

Counsel shall conference by telephone and shall call the Assignment Commissioner (513-732-7108) within three days of the receipt of this Decision/Entry for the purpose of scheduling a plea or trial setting, which shall be scheduled and held within two weeks thereafter.

IT IS SO ORDERED.

DATED: 1-18-19

Judge Jerry R. McBride

CERTIFICATE OF SERVICE

The undersigned certifies that copies of the within Decision/Entry were sent on this 18th day of January 2019 to Carol Rowe, Assistant Prosecuting Attorney, at crowe@clermontcountohio.gov, and to Greg Hoffman, Assistant Public Defender, at ghoffman@clermontcountohio.gov.

Judicial Assistant to Judge McBride