

BOISE, IDAHO, MONDAY, DECEMBER 5, 2022, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Appellant,)	
)	
v.)	Docket No. 49210
)	
CAMILLE J. POOL,)	
)	
Defendant-Respondent.)	
)	

Appeal from the District Court of the Fifth Judicial District of the State of Idaho, Twin Falls County. Benjamin J. Cluff, District Judge.

Lawrence G. Wasden, Idaho Attorney General, Boise, for Appellant.

Eric D. Fredericksen, State Appellate Public Defender, Boise, for Respondent.

This case arises from Respondent Camille Pool's successful motion to suppress evidence recovered during a search of her home. Following a prior conviction, Pool was sentenced to probation pursuant to which she was required to waive her Fourth Amendment right against search and seizure. However, the judgment containing the Fourth Amendment waiver did not explicitly mention that Pool waived her right against search and seizure under the Idaho Constitution. Relying on the Fourth Amendment waiver, Pool's probation officer searched Pool's residence and discovered drugs and drug paraphernalia for which she was criminally charged. Pool moved to suppress the evidence, arguing that she never waived her Idaho Constitutional right against search and seizure, and therefore, the search of her home was unconstitutional. The district court agreed and suppressed the evidence discovered during the search. The State appeals the district court's decision, arguing that the search was constitutionally permissible because Pool waived all her rights against search and seizure under her terms of probation.