

SUMMARY STATEMENT

State v. Garnett, Docket No. 45282

The Supreme Court affirmed the decision of the district court in denying Garnett's motion to suppress evidence. Mark Garnett was an overnight guest in the residence of an absconded felony probationer where probation officers searched a storage room and found Garnett's locked backpack containing a stolen firearm. Garnett, a felon, was arrested and charged with unlawful possession of a firearm. He sought to suppress the evidence found in the backpack but the district court denied his motion because the officer had reasonable suspicion that the absconded probationer owned, possessed, or controlled the backpack. Following a jury trial, Garnett was found guilty. Garnett appealed the district court's use of a reasonable suspicion standard and argued that United States Supreme Court precedent required the use of a reasonable belief standard. The Idaho Supreme Court affirmed the district court's use of a reasonable suspicion standard in determining the scope of a consensual probation search.