

SUMMARY STATEMENT

State v. Phipps

No. 46145

The Supreme Court reversed the Kootenai County district court's order reversing the magistrate court's denial of Kari Janae Phipps's motion to suppress. In the proceedings below, Phipps asserted that the statements she made while detained during a routine parole search of a parolee's residence, along with the evidence found as a result of the statements, were inadmissible on Fourth Amendment grounds. The State brought the appeal seeking to delineate the authority of parole officers to detain a non-parolee while performing a routine parole search of a parolee's residence. The Supreme Court, relying in part on the U.S. Supreme Court's decision in *Michigan v. Summers*, 452 U.S. 692 (1981), held that law enforcement officers may lawfully detain occupants of a home during a lawful probation or parole compliance search. Accordingly, the Supreme Court remanded the matter to the district court with instructions to reinstate the magistrate court's denial of Phipps's motion to suppress.