

SUMMARY STATEMENT

State of Idaho v. Aaron James Howard
Docket No. 46990

The State of Idaho appealed from the district court's order granting a motion to suppress. Aaron James Howard was charged with possession of a controlled substance (methamphetamine), Idaho Code § 37-2732(c)(1); possession of marijuana, I.C. § 37-2732(c)(3); and possession of paraphernalia, I.C. § 37-2734(A)(1). The charges arose after Idaho State Police Trooper Green initiated a traffic stop on a vehicle in which Howard was a passenger. Upon stopping, Howard and the driver exited the vehicle and began walking away. Trooper Green instructed them to return to the vehicle but the driver ignored the trooper. The trooper questioned Howard and detained him in order to search for the driver. Eventually, the driver was located and brought back to the scene. Thereafter, officers observed marijuana in plain view in the vehicle. As a result, the vehicle was searched and officers discovered methamphetamine and paraphernalia. Consequently, Trooper Green arrested Howard and a search incident to Howard's arrest revealed a digital scale that contained methamphetamine residue.

The State charged Howard with the above-listed offenses and Howard filed a motion to suppress. Howard argued that, although the initial traffic stop was lawful, his continued detention was unlawful because the officer did not have reasonable suspicion that he committed a crime. Howard argued that he should have been free to depart the scene. Ultimately, the district court granted Howard's motion concluding that he was unlawfully detained because his continued detention was not supported by reasonable suspicion that Howard was engaged in criminal activity. On appeal, the State argued that the officer was not required to have reasonable suspicion that Howard committed a crime because he was lawfully detained as a passenger in the vehicle. The Court of Appeals held that the district court erred in granting Howard's motion to suppress because, pursuant to the rule articulated in *Arizona v. Johnson*, 555 U.S. 323, 330 (2009), Howard was lawfully detained as a passenger in the vehicle and his continued detention was lawful while the officers searched for the driver and effectuated the purpose of the traffic stop. The Court concluded that the authority for Howard's seizure had not yet dissipated when officers observed marijuana in plain view in the vehicle. Therefore, the Court of Appeals reversed the district court's order granting Howard's motion to suppress.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.