

SUMMARY STATEMENT

State v. Karst

Docket No. 48593

This appeal centered on the unlawful extension of a traffic stop caused by an officer's nineteen second radio call for a drug-dog unit. In this case, an officer stopped a truck for multiple minor traffic violations. Desiree Elaine Karst was a passenger in that truck and was not wearing a seatbelt. After the officer contacted Karst and the driver, the officer spent approximately nineteen seconds on his radio with dispatch to request that a drug-dog unit respond to the scene. Later, as the officer was issuing citations, the drug-dog alerted on the truck. Afterwards, the officer discovered methamphetamine within a tin on Karst's lap, and marijuana and paraphernalia within Karst's pockets. Karst was arrested and transported to the county jail where more marijuana and paraphernalia were discovered on her person. After a motion to suppress by Karst, the district court suppressed the marijuana and paraphernalia found in Karst's pockets as the fruit of an illegal search. However, the court ruled the methamphetamine found in the tin should not be suppressed because the stop was not unlawfully extended. The Court of Appeals affirmed. On appeal, the Idaho Supreme Court reversed the district court's partial denial of Karst's motion to suppress and remanded the case for further proceedings.

The Court explained that under *Rodriguez v. United States*, 575 U.S. 348 (2015), whether an officer's detour is significant enough to constitute an "abandonment" of the traffic mission is not part of the extended stop equation. The concept of "abandonment" had sprung from the Court's interpretation of *Rodriguez* in *State v. Linze*, 161 Idaho 605, 389 P.3d 150 (2016). That concept was later relied upon in *State v. Still*, 166 Idaho 351, 458 P.3d 220 (Ct. App. 2019) to erroneously justify an officer's ten second detour to radio for a drug-dog unit during a traffic stop. The Court overruled *Still* and reiterated that the proper focus of an extended stop challenge under *Rodriguez* and *Linze* is whether law enforcement's detour "prolonged" or "added time to" the traffic stop. There is no de minimis exception to this rule. Here, the officer's nineteen second call for a drug-dog unit added time to the traffic stop and was not justified by reasonable suspicion. Accordingly, the officer unlawfully extended the traffic stop in violation of Karst's Fourth Amendment protections.

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