

SUMMARY STATEMENT

State v. Pool

Docket No. 49210-2021

The Idaho Supreme Court reversed the district court's decision granting Pool's motion to suppress evidence seized during a search of her residence. As a term of Pool's probation in an unrelated case, Pool waived her Fourth Amendment rights against warrantless searches and seizures. Pool's probation officer later conducted a warrantless search of her residence, where he discovered and seized drug paraphernalia and controlled substances. Pool was charged with felony possession of a controlled substance and misdemeanor possession of drug paraphernalia.

Pool moved to suppress the evidence seized from her residence, arguing that she did not waive her rights under Article I, section 17 of the Idaho Constitution and the warrantless search therefore violated her rights under the Idaho Constitution. The district court concluded that Pool only waived her Fourth Amendment rights against warrantless searches and that the Idaho Constitution provided separate constitutional protections. As a result, the district court concluded the search violated Pool's rights under the Idaho Constitution and granted Pool's motion to suppress.

On appeal, the Supreme Court held that Pool's waiver of her Fourth Amendment rights constituted a consent to conduct covered by both constitutions. Article I, section 17 did not provide additional protection against the search that was conducted in this case. Thus, the Fourth Amendment and Article I, section 17 provided the same protections related to the search of Pool's residence. As a result, consent to the search for purposes of the Fourth Amendment constituted consent to the search for purposes of Article I, section 17. Accordingly, the Court reversed the district court's grant of Pool's motion to suppress and remanded for further proceedings consistent with this opinion.

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