

## **SUMMARY STATEMENT**

*State v. Cory Lee Adams*

Docket No. 50841

On an issue of first impression, the Idaho Supreme Court addresses whether law enforcement may conduct a warrantless search of a person in civil protective custody under Idaho Code section 66-329.

Before transporting Cory Lee Adams from the St. Luke's Magic Valley Medical Center emergency department to the Canyon View Behavioral Health Services, an officer searched Adams' pants pockets. Although Adams was not under arrest, he was in civil protective custody and being transported for observation on a mental health hold. During the search, the officer found contraband and charged Adams with possession of a controlled substance under Idaho Code section 37-2732(c)(1).

Adams filed a motion to suppress the evidence obtained from the warrantless search. The district court granted his motion after determining that the search was unconstitutional. The district court reasoned that the search was unreasonable because Adams was not under arrest and there was no indication that he posed a threat of violence or was armed at the time. After the district court denied the State's motion for reconsideration, the State appealed.

On appeal, the State argued that "[b]ecause Adams was lawfully in state custody under the community caretaking function on a mental hold, it was reasonable for police to frisk and then search his pockets prior to transporting him in a police vehicle." The State also argued that police officers are authorized to perform a search of a patient taken into civil protective custody under Idaho Code section 66-329, similar to a search incident to arrest. Adams countered that the community caretaking function does not provide a standalone exception for conducting a warrantless search of an individual and that an involuntary commitment fundamentally differs from a criminal arrest and should not be treated as such.

The Idaho Supreme Court affirmed the district court's order granting Adams' motion to suppress. In doing so, the Court first clarified, consistent with United States Supreme Court precedent, that law enforcement's "community caretaking function" is not a standalone exception to the Fourth Amendment's warrant requirement. Next, the Court explained that the State did not present sufficient evidence, nor did it timely present cogent argument and authority sufficient to invoke the special needs exception, and therefore, the Court declined to apply aspects of the special needs exception in this case.

The Court held that for the safety of police officers and others, a limited pat-down search for weapons before placing a patient subject to civil custody under Idaho Code section 66-329 in a patrol car and transporting that patient to the hospital is reasonable. However, the State did not demonstrate that the search *inside* Adams' pants pockets either fell within one of the well-recognized exceptions to the Fourth Amendment warrant requirement or was otherwise reasonable under the circumstances.

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