

SUMMARY STATEMENT
State of Idaho v. Talan Dean Grounds
Docket No. 51541

In this case arising out of Kootenai County, the Court of Appeals reversed the district court's order granting Talan Dean Ground's motion to suppress. An officer initiated a traffic stop after observing multiple traffic violations. While the initiating officer was writing citations for the traffic violations, two additional officers arrived to assist. Grounds was asked to exit his vehicle, and after he complied, one officer approached the driver's side door and detected the odor of burnt fentanyl through the open driver's side window. The second additional officer also detected the odor of burnt fentanyl. Both additional officers informed the initiating officer, who then permitted the two additional officers to search the vehicle based on the "plain smell" of the burnt fentanyl. The search resulted in the discovery of partially burned pills, which later tested positive for fentanyl. Grounds moved to suppress the evidence, arguing there was not sufficient probable cause to justify a warrantless search of his vehicle. The district court agreed, finding that, while burnt fentanyl satisfied the probable cause requirement, and the odor of burnt fentanyl was sufficiently distinct, the two additional officers were not qualified to recognize the odor of burnt fentanyl.

On appeal, the State argued the district court erred in granting Grounds' motion to suppress. The State challenged the district court's finding that the two additional officers were not qualified to recognize the odor of burnt fentanyl. The Court agreed and held that the district court erred in applying an erroneous standard for probable cause to the evidence presented and that there is no requisite level of training that must be met for an officer to be deemed qualified to recognize an odor. As a result, the Court reversed the district court's order granting Grounds' motion to suppress and remanded the case.

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