

## SUMMARY STATEMENT

*State v. Farrell*  
Docket No. 46095

Officer Reese stopped the vehicle in which Farrell was a passenger based on a suspicion that the windows were tinted darker than permitted by Idaho Code § 49-944(1). Officer Reese approached the vehicle and informed the occupants about his suspicion. Farrell explained that the vehicle belonged to his mother and was purchased with the tint in place. Thereafter, another officer arrived on scene and the two officers performed a tint test on the windows. The officers confirmed that the rear window was darker than allowed by law. While the other officer was filling out the window tint citation, Officer Reese engaged in a drug dog sweep of the vehicle. The dog alerted and the subsequent search of the vehicle and the passengers revealed the presence of paraphernalia, methamphetamine, and heroin. Farrell was charged with possession of methamphetamine. Farrell filed a motion to suppress. In support of his motion, Farrell filed an affidavit establishing that the window tint was installed on the vehicle by the manufacturer and thus fell within the exception to I.C. § 49-944(1). *See* I.C. § 49-944(5). As relevant to his claim on appeal, Farrell argued that the officers unlawfully prolonged the stop by conducting a tint test and issuing a citation for a charge unsupported by law. The district court denied Farrell's motion. The State amended Farrell's charge to trafficking in heroin, I.C. § 37-2732B(a)(6)(A), and Farrell entered a conditional guilty plea.

On appeal, Farrell asserted that the district court erred in denying his motion to suppress because his stop was unlawfully prolonged when Officer Reese measured the window tint and issued a citation for a violation I.C. § 49-944 without first checking to see if the window tint fell within an exception to the statute. The Court of Appeals explained that Farrell ultimately took issue with the order in which Officer Reese conducted his investigation. The Court determined that Farrell's detention was reasonable because Officer Reese engaged in a lawful stop based on reasonable suspicion of a traffic violation and carefully tailored the scope of the detention to its underlying justification. Thus, the Court of Appeals concluded that the district court did not err in denying Farrell's motion to suppress.