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State Supreme Court overturns pot, gun convictions

Associated Press

OLYMPIA -- Washington's Supreme Court has overturned the marijuana and firearms convictions of a Pierce County man after finding that the search by deputies that led to his arrest was unlawful.

Dara Ruem was serving at least 13 years in prison following his arrest in 2008. Sheriff's deputies were trying to track down and arrest his brother when they entered his home and found about 100 marijuana plants and a handgun.

The justices split 5-4 on one issues in the case: whether, before requesting consent to enter a home to execute an arrest warrant, officers must inform the resident that they have a right to refuse entry to the police. The majority said officers do not have inform residents they have that right.

But the justices also agreed by an 8-1 margin that it was illegal for the deputies to enter the home, because they did not have probable cause to believe that Ruem's brother was actually there.

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