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Supreme Court: Officer had no right to search container

Posted by John de Leon

The Associated Press

SEATTLE — Washington’s Supreme Court says a Centralia police officer was justified when he frisked a man during a traffic stop but he didn’t have the right to open a small container found on the suspect.

In the majority opinion issued Thursday, the high court says the container search without a warrant violated Tanner Russell’s “constitutional right to be free from police intrusion.”

The officer found a syringe filled with methamphetamine in the container, and prosecutors charged Russell with a drug possession. Russell argued that the search was illegal.

The officer stopped Russell, who was riding a bike, for minor traffic violations in 2011. The officer said he feared for his safety because he had stopped Russell the week before and Russell had lied then about having a gun on him.

The ruling said the officer didn’t have a reasonable belief that the container held a gun.

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