

Maryland v. Pringle
(December 15, 2003) 540 US ____

ISSUE

After finding drugs in the back seat of a car, did an officer have probable cause to arrest all three of the vehicle's occupants?

FACTS

At 3:16 A.M., a Baltimore County police officer stopped a Nissan Maxima for speeding. There were three men in the car: Partlow, the driver; Pringle, the front seat passenger; and Smith, the back seat passenger. When Partlow opened the glove box to retrieve his vehicle registration, the officer saw that it contained "a large amount of rolled-up money." After determining that Partlow had no previous violations, the officer gave him a verbal warning. He then obtained Partlow's consent to search the car.

While searching the back seat, the officer pulled down the back-seat armrest and found five baggies containing cocaine. According to the Court, the baggies "had been placed between the armrest and the back seat of the car." The officer also seized the money (\$763) in the glove box.

The officer then asked, Whose drugs are these? When no one responded, he arrested them all. Later at the police station, Pringle waived his *Miranda* rights and admitted the drugs were his and that the others "did not know about the drugs." Partlow and Smith were then released.

Pringle was convicted of possession with intent to distribute. The Maryland Court of Appeals, however, reversed the conviction on grounds that Pringle's arrest was unlawful and, therefore, his confession was inadmissible. Why was the arrest unlawful? Because, said the court, Pringle was sitting in the front seat, while the cocaine was hidden in the backseat. Said the court, "[T]he mere finding of cocaine in the back armrest when [Pringle] was a front seat passenger in a car being driven by its owner is insufficient to establish probable cause for an arrest for possession."

DISCUSSION

In a unanimous opinion, the United States Supreme Court reversed the Maryland Court of Appeals, ruling that probable cause did, in fact, exist. Contrary to some news reports, however, the Court did not announce a hard-and-fast rule that the discovery of drugs or other contraband anywhere in the passenger compartment provides probable cause to arrest everyone in the vehicle. Instead, it simply reiterated the basic principle that probable cause depends on a consideration of the totality of the circumstances—the "total atmosphere of the case."¹

¹ See *Illinois v. Gates* (1983) 462 US 213, 230-1; *United States v. Arvizu* (2002) 534 US ____ [151 L.Ed.2d 740, 749] ["(W)e have said repeatedly that [the courts] must look at the totality of the circumstances of each case. . . ."]; *United States v. Sokolow* (1989) 490 US 1, 8; *People v. Miller* (1976) 60 Cal.App.3d 849, 854 ["The standard definition of probable cause necessarily implies that all the circumstances are to be considered. It permits the officer to take cognizance of the entire situation confronting him at the time and place of the search"]; *People v. Soun* (1995) 34 Cal.App.4th 1499, 1524; *People v. McFadin* (1982) 127 Cal.App.3d 751, 767 ["Defendant would apply the axiom that a chain is no stronger than its weakest link. Here, however, there are strands which have been spun into rope. Although each alone may have insufficient strength, and some strands may be slightly frayed, the test is whether when spun together they will serve to carry the load of upholding the action of the magistrate in issuing the warrant."]; *People v. Superior Court (Price)* (1982) 137 Cal.App.3d 90, 97 ["Even if no single fact met the test for reasonable cause, the totality of information available to the officer from a number of sources was sufficient In adopting a [totality of circumstances] approach in this area, courts are not being innovative; they

More to the point, it reminded the courts that they must not fractionalize the circumstances by isolating each one, belittling its importance or explaining it away, then concluding that because none of them were very incriminating, probable cause did not exist.² As the Court observed, it was apparent that the Maryland court lost sight of this:

The Court of Appeals of Maryland dismissed the \$763 seized from the glove compartment as a factor in the probable-cause determination, stating that “money, without more, is innocuous.” The court’s consideration of the money in isolation, rather than as a factor in the totality of the circumstances, is mistaken in light of our precedents.

The Court then sought to determine whether, based on the totality of the circumstances, probable cause did, in fact, exist. Those circumstances included the following:

- Pringle was one of three men riding in a car at 3:16 A.M.
- There was \$763 of rolled-up cash in the glove compartment in front of Pringle.
- Five baggies of cocaine were hidden behind the back-seat armrest.
- The cocaine was accessible to all three.
- All the occupants denied knowing anything about the cocaine and money.
- The existence of a fairly large amount of drugs and money indicated that one or more of the occupants were selling drugs. And even if all three were not dealers, it was reasonable to believe they all knew about the cocaine because, as the Court pointed out, drug dealing is “an enterprise to which a dealer would be unlikely to admit an innocent person with the potential to furnish evidence against him.”

Based on these circumstances, the court ruled it was reasonable for the officer to believe “that any or all three of the occupants had knowledge of, and exercised dominion and control over, the cocaine” and, therefore, the arrest of Pringle was lawful.

are merely accepting the fact that straight line measurements (i.e. weighing each individual factor separately) may not always provide the proper answers. Both the psychologist who studies human behavior, and the policeman who deals with problems on his beat, have learned that the ultimate configuration or structure that evolves from total experience is not necessarily the simple total of its constituent parts.”].

² See *United States v. Arvizu* (2002) 534 US ___ [151 L.Ed.2d 740, 750][Court repudiates “divide and conquer analysis.”]; *U.S. v. Diaz-Juarez* (9th Cir. 2002) 299 F.3d 1183, 1141 [“Individual factors that may appear innocent in isolation may constitute suspicious behavior when aggregated together.”]; *Massachusetts v. Upton* (1984) 466 US 727, 732 [“[The trial court] insisted on judging bits and pieces of information in isolation”].