IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52276

STATE OF IDAHO,	)	
	)	**Filed: November 2, 2026**
Plaintiff-Respondent,	)	
	)	**Melanie Gagnepain, Clerk**
v.	)	
	)	**THIS IS AN UNPUBLISHED**
JAMES PATRICK MATHEWS,	)	**OPINION AND SHALL NOT**
	)	**BE CITED AS AUTHORITY**
Defendant-Appellant.	)	
	)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Steven Hippler, District Judge.

Judgment of conviction for possession of a controlled substance with the intent to deliver, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Andrea W. Reynolds, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Neil Paterson, Deputy Attorney General, Boise, for respondent.

TRIBE, Chief Judge

James Patrick Mathews appeals from his judgment of conviction for possession of a controlled substance with the intent to deliver. We affirm.

I.
FACTUAL AND PROCEDURAL BACKGROUND

Law enforcement officers investigating a homicide and aggravated battery were surveilling an apartment believed to contain evidence related to the crimes. While the officers waited for a search warrant, a vehicle driven by Mathews (with two other occupants) arrived at the apartment complex. One of the occupants entered the apartment, exited approximately two minutes later, and then ran back toward the vehicle.

One of the officers activated his patrol lights, pulled in behind the vehicle, and detained the occupant (who went into the apartment) in handcuffs before he reached the vehicle. No weapon

or evidence of the homicide or aggravated battery was found on that occupant, but an officer noticed the remaining occupants of the vehicle making furtive movements, reaching down toward the vehicle's floorboard, and moving things around. The officers then ordered Mathews and the other occupant out of the vehicle at gunpoint and detained them in handcuffs.

After securing the occupants, the officers performed a safety check of the vehicle to confirm no one else was present and observed drug paraphernalia and blue pills believed to be fentanyl in plain view. The officers subsequently discovered more fentanyl and paraphernalia. After receiving *Miranda*[1] warnings from an officer, Mathews admitted he had traveled out of state to obtain fentanyl for distribution.

The State charged Mathews with possession of a controlled substance with the intent to deliver, possession of marijuana, and possession of drug paraphernalia. The State also alleged that Mathews is a persistent violator of the law. Mathews moved to suppress the evidence discovered in the vehicle, arguing the officers lacked reasonable suspicion to detain him and that the detention constituted a de facto arrest unsupported by probable cause. The district court denied the motion, concluding that the detention was supported by reasonable suspicion under the totality of the circumstances and did not transform into a de facto arrest. Mathews thereafter entered a conditional guilty plea to possession of a controlled substance with the intent to deliver (Idaho Code § 37-2732(a)), reserving his right to appeal the denial of his motion to suppress. Mathews appeals.

II.
STANDARD OF REVIEW

The standard of review of a suppression motion is bifurcated. When a decision on a motion to suppress is challenged, we accept the trial court's findings of fact that are supported by substantial evidence, but we freely review the application of constitutional principles to the facts as found. *State v. Atkinson*, 128 Idaho 559, 561, 916 P.2d 1284, 1286 (Ct. App. 1996). At a suppression hearing, the power to assess the credibility of witnesses, resolve factual conflicts, weigh evidence, and draw factual inferences is vested in the trial court. *State v. Valdez-Molina*,

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[1] *See Miranda v. Arizona*, 384 U.S. 436 (1966).

127 Idaho 102, 106, 897 P.2d 993, 997 (1995); *State v. Schevers*, 132 Idaho 786, 789, 979 P.2d 659, 662 (Ct. App. 1999).

III.
ANALYSIS

Mathews argues the district court erred in denying his motion to suppress. Specifically, Mathews argues that the officers lacked reasonable suspicion to detain him after officers detained the occupant of Mathews' vehicle who had entered the apartment the officers were surveilling. According to Mathews, because law enforcement determined the occupant did not have a weapon or evidence connecting him to the homicide or aggravated battery committed in the apartment under surveillance, there was no longer reasonable suspicion to detain any of the vehicle's occupants, including Mathews. Mathews further argues that the officers' use of firearms and handcuffs during the investigatory detention transformed it into a de facto arrest that was unsupported by probable cause. The State responds that Mathews' detention was supported by reasonable suspicion under the totality of the circumstances and that the officers' conduct constituted reasonable safety precautions during an investigative detention involving a violent offense. We hold that Mathews has failed to show the district court erred in denying his motion to suppress.

A. Investigatory Detention

The determination of whether an investigative detention is reasonable requires a dual inquiry--whether the officer's action was justified at its inception and whether it was reasonably related in scope to the circumstances which justified the interference in the first place. *State v. Roe*, 140 Idaho 176, 181, 90 P.3d 926, 931 (Ct. App. 2004); *State v. Parkinson*, 135 Idaho 357, 361, 17 P.3d 301, 305 (Ct. App. 2000). An investigative detention is permissible if it is based upon specific articulable facts which justify suspicion that the detained person is, has been, or is about to be engaged in criminal activity. *State v. Sheldon*, 139 Idaho 980, 983, 88 P.3d 1220, 1223 (Ct. App. 2003). Such a detention must be temporary and last no longer than necessary to effectuate the purpose of the stop. *Roe*, 140 Idaho at 181, 90 P.3d at 931; *State v. Gutierrez*, 137 Idaho 647, 651, 51 P.3d 461, 465 (Ct. App. 2002). Where a person is detained, the scope of the detention must be carefully tailored to its underlying justification. *Roe*, 140 Idaho at 181, 90 P.3d at 931; *Parkinson*, 135 Idaho at 361, 17 P.3d at 305. In this regard, we must focus on the intensity

of the detention, as well as its duration. *Roe*, 140 Idaho at 181, 90 P.3d at 931. The scope of the intrusion permitted will vary to some extent with the particular facts and circumstances of each case. *Roe*, 140 Idaho at 181, 90 P.3d at 931; *Parkinson*, 135 Idaho at 361, 17 P.3d at 305.

The officers were investigating a homicide and aggravated battery involving an unrecovered firearm. While the officers were surveilling an apartment, which they believed contained evidence related to the crimes, Mathews arrived in a vehicle with two other occupants. One of the occupants entered the apartment, exited approximately two minutes later, and then ran back toward the vehicle before officers detained him. Although that occupant was not found to possess a weapon or evidence related to the homicide or aggravated battery, his lack of a weapon did not eliminate the possibility that the remaining occupants, including Mathews, were armed or that weapons remained inside the vehicle.

The officers also observed movements inside the vehicle that appeared consistent with reaching for objects, heightening officer safety concerns. In addition, multiple individuals had arrived together at a location the officers believed contained evidence related to the crimes. Under the totality of these circumstances, the officers were not required to assume that no danger remained simply because the occupant who entered the apartment was found to be unarmed. Rather, the officers could reasonably detain the other occupants to determine whether they were involved in the offenses being investigated. Accordingly, Mathews has not shown that the circumstances giving rise to reasonable suspicion were dispelled when one occupant was found to be unarmed. The totality of the circumstances continued to provide reasonable suspicion supporting the limited detention of Mathews, during which officers observed evidence of his drug crimes in plain view inside the vehicle.

B. De Facto Arrest

A seizure may take the form of either an arrest or an investigative detention. *State v. Stewart*, 145 Idaho 641, 644, 181 P.3d 1249, 1252 (Ct. App. 2008). An arrest is a full-scale seizure of a person, which, in some circumstances, is permitted without a warrant if the officer has probable cause to believe that the individual has committed a crime. *Id.*; *State v. Ferreira*, 133 Idaho 474, 479, 988 P.2d 700, 705 (Ct. App. 1999); *State v. Zapp*, 108 Idaho 723, 726-27, 701 P.2d 671, 674-75 (Ct. App. 1985). An investigative detention is a seizure of limited duration to investigate suspected criminal activity that does not offend the Fourth Amendment to the United

States Constitution if the facts available to the officer at the time gave rise to reasonable suspicion to believe that criminal activity was afoot. *Stewart*, 145 Idaho at 644, 181 P.3d at 1252. An investigative detention based on reasonable suspicion must be conducted in a manner that is reasonably related in scope to the circumstances, which justified the interference in the first place. *Id*. at 644-45, 181 P.3d at 1252-53. The term "de facto arrest" describes a seizure of an individual that becomes so intrusive in manner or duration that it exceeds the bounds of an investigative detention. *See United States v. Sharpe*, 470 U.S. 675, 682-86 (1985); *State v. Cabrito*, 174 Idaho 549, 555, 558 P.3d 279, 285 (Ct. App. 2024).

Whether the Fourth Amendment is violated during the course of an investigatory detention is not automatically answered by the assessment of whether police tactics did or did not amount to a "de facto" arrest. *Stewart*, 145 Idaho at 645, 181 P.3d at 1253. There is no bright-line rule to determine when an investigatory detention transforms into a de facto arrest. *State v. Maahs*, 171 Idaho 738, 746, 525 P.3d 1131, 1139 (2023). Courts must consider all the surrounding circumstances and determine whether the investigative methods employed were the least intrusive means reasonably available to verify or dispel the officer's suspicion in a short period of time. *State v. Frank*, 133 Idaho 364, 368, 986 P.2d 1030, 1034 (Ct. App. 1999). Factors to consider in distinguishing an investigative detention from an arrest include: (1) the duration of the invasion imposed by the additional restriction; (2) the law enforcement purposes served; (3) the seriousness of the crime; (4) the location of the encounter; (5) the length of the detention; (6) the reasonableness of the officer's display of force; and (7) the conduct of the suspect as the encounter unfolds. *Id.*; *see State v. Martinez*, 129 Idaho 426, 431, 925 P.2d 1125, 1130 (Ct. App. 1996). These illustrative factors can serve as guideposts but, ultimately, "common sense and ordinary human experience must govern over rigid criteria." *Cabrito*, 174 Idaho at 555, 558 P.3d at 285; *see State v. Buti*, 131 Idaho 793, 796, 964 P.2d 660, 663 (1998).

Those factors support the district court's conclusion that the detention did not become a de facto arrest. In addition, the use of a firearm does not automatically transform an investigatory detention into an arrest; rather, the use of a firearm must be reasonably necessary under the circumstances to protect officer or public safety. *Maahs*, 171 Idaho at 746, 525 P.3d at 1139. In *Maahs*, a bank teller called police to report suspicious behavior. *Id.* at 742, 525 P.3d at 1135. The teller reported that a man made a large cash deposit, exited the building, changed clothes, and then

spoke with two other men in the parking lot. *Id.* While waiting for the doors to be unlocked, an officer observed two men at the teller counter, one of which made prolonged eye contact with the officer. *Id.* The two men had a brief conversation with each other, then one left the counter and proceeded down a hallway. *Id.* After about thirty seconds, the man still at the counter followed the other man down the hallway. *Id.* An employee informed the officer that both men had gone into a single-person bathroom. *Id.* When Maahs emerged from the bathroom, the officer and a second officer immediately confronted Maahs with the second officer drawing his service weapon. *Id.* During the hearing on Maahs' motion to suppress, both officers testified that they did not have any information that either man was armed or dangerous. *Id.* The Idaho Supreme Court concluded that the officers had no information that Maahs was armed, dangerous, or posed a risk of violence, and he was not suspected of a violent offense. *Id*. at 750, 525 P.3d at 1143. The Court, therefore, concluded that the officer's use of a firearm was not reasonable under the circumstances. *Id*.

Unlike *Maahs*, in this case, the officers were investigating a homicide and aggravated battery involving an unrecovered firearm, encountered multiple individuals arriving together at a location in a high-crime area that the officers believed contained evidence of the offense, and observed furtive movements inside the vehicle suggesting the occupants could be reaching for objects. *See id.* at 747, 525 P.3d at 1140. Under the totality of those circumstances, the officers' temporary display of firearms and use of handcuffs constituted reasonable precautions to secure the scene and ensure officer safety while they determined whether weapons were present.

Moreover, the officers' precautionary measures were employed no longer than reasonably necessary. After securing the occupants, the officers conducted a protective safety check of the vehicle and immediately observed drug paraphernalia and pills believed to be fentanyl in plain view. Those observations supplied probable cause to arrest Mathews before the investigative detention concluded. Because probable cause developed during the course of a lawful investigatory detention, the subsequent arrest and seizure of evidence did not violate the Fourth Amendment.

Considering the totality of the circumstances, the officers' conduct remained reasonably related in scope to legitimate officer safety concerns and did not transform the investigatory detention into a de facto arrest. The district court, therefore, did not err in denying Mathews' motion to suppress.

IV.

CONCLUSION

Mathews has failed to demonstrate the district court erred in denying his motion to suppress. The officers' continued detention of Mathews was supported by reasonable suspicion and the officers' conduct did not transform the detention into a de facto arrest. Therefore, Mathews' judgment of conviction for possession of a controlled substance with the intent to deliver is affirmed.

Judge LORELLO and Judge PETTY, **CONCUR**.