

SUPREME COURT OF ILLINOIS

People v. Stehman

203 Ill. 2d 26 (2002) · No. 92287 · Decided December 19, 2002

SUMMARY

The Illinois Supreme Court affirmed the suppression of drug paraphernalia discovered during a warrantless search of the defendant’s vehicle following his arrest on an outstanding failure-to-appear warrant. The court held that New York v. Belton did not authorize the search because police first initiated contact after the defendant had voluntarily exited and left the vehicle, and the vehicle was beyond his immediate control under Chimel. The court rejected application of the Belton bright-line rule where police orchestrated the arrest to create a basis for searching the vehicle.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Rarick
JURISDICTION	Illinois
DECIDED	December 19, 2002
DOCKET	92287
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed the suppression of evidence and quashing of defendant's arrest. The Illinois Supreme Court granted leave to appeal after the appellate court affirmed.
STANDARD OF REVIEW	The trial court's factual findings on a motion to suppress are reviewed for manifest error, with deference to credibility determinations. The court reviews de novo the legal question whether the search was constitutional under the trial court's factual findings.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Illinois
PARTIES	The People of the State of Illinois v. Michael Stehman

TOPICS

- search and seizure
- fourth amendment
- suppression of evidence
- warrant requirement
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the warrantless search of defendant's vehicle was a valid search incident to arrest under *New York v. Belton*.
2. Whether *Belton*'s bright-line rule applies when the defendant voluntarily exits the vehicle and begins walking away before police initiate contact.
3. Whether the search could be justified under the *Chimel* search-incident-to-arrest rationale based on officer safety or preservation of evidence.

HOLDINGS

1. *New York v. Belton*'s bright-line rule does not authorize a vehicle search incident to arrest when the defendant voluntarily exited the vehicle and began walking away before the officer initiated contact, absent circumstances bringing the search within the defendant's immediate-control rationale under *Chimel*.
2. The search of defendant's vehicle was not a valid search incident to arrest because the vehicle's passenger compartment was beyond the area within defendant's immediate control and the record did not establish a legitimate officer-safety or evidence-preservation justification.
3. Factual findings underlying a suppression ruling are reviewed for manifest error, while the ultimate legal question concerning the constitutionality of the search is reviewed *de novo*.

KEY QUOTATIONS

"Therefore, applying Chimel to the facts of the case at bar, because the passenger compartment of defendant's vehicle was beyond the area within defendant's immediate control and into which defendant might have reached at the time Officer Richardson stopped and arrested him, we conclude that the search of that vehicle's passenger compartment was not incident to defendant's arrest." (203 Ill. 2d at 40)

"Here, as in Fernengel and Thomas, defendant had voluntarily exited his car and was walking away from it when the officer initiated the contact which led to defendant's arrest." (203 Ill. 2d at 39)

FACTUAL BACKGROUND

Officer Thomas Richardson learned of an outstanding warrant for Michael Stehman's arrest and went to the restaurant where Stehman worked. Stehman parked his vehicle, exited it, and began walking toward the restaurant before Richardson initiated contact and arrested him. After placing Stehman in the squad car, Richardson searched the vehicle without a warrant or consent and found drug paraphernalia; the trial court found Richardson's safety and inventory-search explanations not credible.

PROCEDURAL HISTORY

Defendant was arrested for unlawful possession of drug paraphernalia after an officer searched his vehicle incident to an arrest on an outstanding failure-to-appear warrant. The De Kalb County circuit court granted

defendant's motion to suppress and quash the arrest. The appellate court affirmed, and the Illinois Supreme Court affirmed the appellate court.

DISPOSITION

affirmed

CASES CITED

- People v. Dilworth, 169 Ill. 2d 195, 201 (1996)
- People v. Gonzalez, 184 Ill. 2d 402, 412 (1998)
- Coolidge v. New Hampshire, 403 U.S. 443, 454-55 (1971)
- United States v. Robinson, 414 U.S. 218, 224-26 (1973)
- Chimel v. California, 395 U.S. 752, 762-63 (1969)
- New York v. Belton, 453 U.S. 454, 460 (1981)
- People v. Bailey, 159 Ill. 2d 498, 503-06 (1994)
- United States v. Fafowora, 865 F.2d 360, 362 (D.C. Cir. 1989)
- United States v. Hudgins, 52 F.3d 115, 119 (6th Cir. 1995)
- Thomas v. State, 761 So. 2d 1010, 1011, 1013-14 (Fla. 1999)
- People v. Fernengel, 216 Mich. App. 420, 549 N.W.2d 361 (1996)
- People v. Bosnak, 262 Ill. App. 3d 122, 128-30 (1994)
- Knowles v. Iowa, 525 U.S. 113, 117-19 (1998)
- People v. Wither, 321 Ill. App. 3d 382 (2001)
- People v. Trejo, 311 Ill. App. 3d 816 (2000)
- People v. Gonzalez, 316 Ill. App. 3d 354 (2000)
- People v. Allibalogun, 312 Ill. App. 3d 515 (2000)
- People v. Tripp, 306 Ill. App. 3d 941 (1999)
- People v. Kalivas, 207 Ill. App. 3d 415 (1991)
- United States v. Wanzek, 598 N.W.2d 811, 815 (N.D. 1999)
- United States v. Willis, 37 F.2d 313, 317 (7th Cir. 1994)
- United States v. Arango, 879 F.2d 1501, 1505-07 (7th Cir. 1989)
- United States v. Mans, 999 F.2d 966, 968-69 (6th Cir. 1993)
- People v. Kolody, 200 Ill. App. 3d 130 (1990)
- United States v. Sholola, 124 F.3d 803, 817 (7th Cir. 1997)
- United States v. Snook, 88 F.3d 605, 608 (8th Cir. 1996)
- Glasco v. Commonwealth, 257 Va. 433, 513 S.E.2d 137 (1999)
- Michigan v. Long, 463 U.S. 1032, 1035 n.1 (1983)
- Terry v. Ohio, 392 U.S. 1 (1968)
- Maryland v. Wilson, 519 U.S. 408, 412 (1997)

- *Pennsylvania v. Mimms*, 434 U.S. 106, 110 (1977)

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