

OHIO COURT OF APPEALS, NINTH DISTRICT

State v. Compton

2022-Ohio-4324 (Ohio Ct. App. 2022) · No. 22CA0018-M · Decided December 5, 2022

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed Christian Compton’s convictions for possession of cocaine and other controlled substances. The court held that the traffic stop and its extensions were supported by reasonable and articulable suspicion, rejected Compton’s unpreserved constitutional challenge to the Reagan Tokes Act, and rejected his ineffective-assistance claims.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth District
WRITING FOR THE COURT	Lynne S. Callahan; Teodosio, P.J.; Hensal, J.
JURISDICTION	Ohio
DECIDED	December 5, 2022
DOCKET	22CA0018-M
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a judgment of conviction and sentence entered by the Medina County Court of Common Pleas after the court denied his motion to suppress, accepted his no-contest pleas, and found him guilty.
STANDARD OF REVIEW	A suppression ruling presents a mixed question of law and fact: the appellate court accepts factual findings supported by competent, credible evidence and reviews legal conclusions de novo. Reasonable suspicion is evaluated under the totality of the circumstances. Ineffective-assistance claims are governed by the Strickland performance-and-prejudice standard.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion; precedential under Ohio law unless otherwise limited.
PARTIES	Christian Compton v. State of Ohio

TOPICS

search and seizure suppression of evidence fourth amendment sentencing ineffective assistance

PRACTICE AREAS

criminal procedure

constitutional law

appellate procedure

evidence

sentencing

QUESTIONS PRESENTED

1. Whether the officer had reasonable suspicion to initiate the traffic stop based on information that the vehicle's registered owner had a suspended driver's license and the officer's observations of the vehicle.
2. Whether the officer had reasonable suspicion to extend the stop to conduct field sobriety testing after learning that Compton was not the registered owner.
3. Whether the officer had reasonable suspicion to continue detaining and questioning Compton about marijuana and other criminal activity after the field sobriety testing did not indicate impairment.
4. Whether Compton forfeited his constitutional challenge to the Reagan Tokes Act by failing to raise it in the trial court and failing to develop a plain-error argument on appeal.
5. Whether trial counsel provided ineffective assistance by failing to challenge the Reagan Tokes Act constitutionally and by failing to obtain expert assistance concerning the drugs.

HOLDINGS

1. The officer had reasonable suspicion to initiate the investigative stop because, before learning that the passenger was the registered owner, it was reasonable to infer that Compton, the driver, was the registered owner whose license was suspended.
2. The officer had reasonable and articulable suspicion of impairment that justified extending the traffic stop to conduct field sobriety testing.
3. The officer had reasonable and articulable suspicion of further criminal activity that justified continuing the detention to inquire about marijuana after the field sobriety testing did not indicate impairment.
4. Because Compton did not challenge the Reagan Tokes Act in the trial court and did not develop a plain-error argument on appeal, the court declined to consider his constitutional challenge.
5. Compton failed to establish ineffective assistance because he did not demonstrate deficient performance and prejudice from counsel's failure to challenge the Reagan Tokes Act or obtain expert assistance concerning the drugs.

KEY QUOTATIONS

“Once this Court has determined that the trial court’s factual findings are supported by the evidence, we consider the trial court’s legal conclusions de novo.” (§ 7)

“An officer may not prolong a stop for the purpose of conducting inquiries unrelated to the original purpose without “the reasonable suspicion ordinarily demanded to justify detaining an individual.”” (§ 12)

“Applying this standard, this Court cannot conclude that the trial court erred by determining that given the totality of the circumstances, the officer had a reasonable and articulable suspicion of impairment that justified Mr. Compton’s continued detention.” (§ 16)

“In order to demonstrate ineffective assistance of counsel, a defendant must show deficiency in the performance of counsel “so serious that counsel was not functioning as the ‘counsel’ guaranteed the defendant by the Sixth Amendment” and that the errors made by counsel were “so serious as to deprive the defendant of a fair trial[.]”” (¶ 23)

FACTUAL BACKGROUND

A Brunswick police officer stopped Compton's vehicle after a license-plate check indicated that the registered owner had a suspended license and after observing the vehicle drift within its lane. During the stop, the officer observed signs including the odor of raw marijuana, an odor of alcohol, disorientation, mumbled speech, and Compton's admission that he had smoked marijuana before driving. Although field sobriety testing revealed no impairment, Compton became nervous and emotional when questioned about marijuana and ultimately admitted that drugs were in the vehicle; a subsequent search uncovered cocaine and other drugs.

PROCEDURAL HISTORY

A traffic stop led to a vehicle search and drug charges. The trial court denied Compton's motion to suppress, and a supplemental indictment added charges involving methamphetamine, Eutylone, and LSD. Compton pleaded no contest, was convicted and sentenced, and appealed on suppression, Reagan Tokes Act constitutionality, and ineffective-assistance grounds. The Ninth District Court of Appeals overruled all assignments of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Burnside, 100 Ohio St.3d 152, 2003-Ohio-5372, ¶ 8
- State v. Hopfer, 112 Ohio App.3d 521, 548 (2d Dist. 1996)
- State v. Venham, 96 Ohio App.3d 649, 653 (4th Dist. 1994)
- State v. McNamara, 124 Ohio App.3d 706, 710 (4th Dist. 1997)
- State v. Mays, 119 Ohio St.3d 406, 2008-Ohio-4539, ¶ 7
- Delaware v. Prouse, 440 U.S. 648, 663 (1979)
- Berkemer v. McCarty, 468 U.S. 420, 439 (1984)
- United States v. Brignoni-Ponce, 422 U.S. 873, 881 (1975)
- Terry v. Ohio, 392 U.S. 1, 21 (1968)
- State v. Shankel, 9th Dist. Wayne No. 13CA0038, 2014-Ohio-5712, ¶ 10
- State v. Mack, 9th Dist. Summit No. 24328, 2009-Ohio-1056, ¶ 9
- Rodriguez v. United States, 575 U.S. 348, 354-55 (2015)
- State v. Batchili, 113 Ohio St.3d 403, 2007-Ohio-2204, ¶¶ 12, 17
- State v. Howard, 12th Dist. Preble Nos. CA2006-02-002, CA2006-02-003, 2006-Ohio-5656, ¶ 15

- State v. Rackow, 9th Dist. Wayne No. 06-CA-0066, 2008-Ohio-507, ¶ 8
- State v. Spees, 9th Dist. Medina No. 17CA0061-M, 2018-Ohio-2568, ¶ 8
- State v. Williams, 9th Dist. Lorain No. 09CA009679, 2010-Ohio-3667, ¶ 15
- State v. Garver, 9th Dist. Wayne No. 20AP0038, 2021-Ohio-3776, ¶¶ 19-20
- State v. Hochstetler, 9th Dist. Wayne No. 16AP0013, 2016-Ohio-8389, ¶ 12
- State v. Corn, 9th Dist. No. 22CA0010-M, 2022-Ohio-3095, ¶ 17
- State v. Lee, 9th Dist. Summit No. 29597, 2020-Ohio-4970, ¶ 13
- State v. Kendall, 6th Dist. Williams No. WM-19-024, 2021-Ohio-1551, ¶¶ 42-48
- State v. Andrews, 57 Ohio St.3d 86, 87-88 (1991)
- State v. Beasley, 9th Dist. Medina No. 19CA0012-M, 2020-Ohio-1170, ¶ 14
- State v. Awan, 22 Ohio St.3d 120 (1986), syllabus
- State v. Daniels, 9th Dist. Wayne No. 17AP0036, 2020-Ohio-1176, ¶ 20
- State v. Franklin, 9th Dist. Summit No. 29071, 2019-Ohio-1513, ¶¶ 32-36
- State v. Meadows, 9th Dist. Summit No. 26549, 2013-Ohio-4271, ¶ 24
- State v. Coleman, 9th Dist. Summit No. 30133, 2022-Ohio-3808, ¶¶ 57-60, 65
- State v. Horvath, 9th Dist. Summit No. 30077, 2022-Ohio-1743, ¶ 13
- Strickland v. Washington, 466 U.S. 668, 687, 694 (1984)

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