

SUPREME COURT OF OREGON

State v. A. J. C.

355 Or. 552 (2014) · Decided May 30, 2014

SUMMARY

The Oregon Supreme Court considered whether the school-safety exception to the warrant requirement permitted a high school principal to search a student's backpack after receiving a specific threat that the student would bring a gun to school. The court held that the principal reasonably suspected an immediate safety threat and that the limited search of compartments capable of containing a firearm was reasonable under Article I, section 9, of the Oregon Constitution. The court affirmed the Court of Appeals and the juvenile court's judgment.

CASE DETAILS

COURT	Supreme Court of Oregon
WRITING FOR THE COURT	Baldwin, J.; Baldwin; Balmer; Kistler; Landau; Linder; Walters
JURISDICTION	Oregon
DECIDED	May 30, 2014
DISPOSITION	affirmed
PROCEDURAL POSTURE	A juvenile challenged the denial of his pretrial motion to suppress evidence obtained during a warrantless search of his backpack by a school principal. The juvenile court denied suppression and ultimately took jurisdiction over the youth. The Oregon Court of Appeals affirmed, and the Oregon Supreme Court granted review.
STANDARD OF REVIEW	Whether a warrantless search violated Article I, section 9, of the Oregon Constitution is reviewed as a question of law, based on the historical facts found by the juvenile court when those findings are supported by the record. The reasonableness of protective measures is assessed under the circumstances as they reasonably appeared to the official when the decision was made.
PRECEDENTIAL VALUE	Published Oregon Supreme Court opinion; precedential.
PARTIES	A. J. C. v. State of Oregon

TOPICS

- suppression of evidence
- search and seizure
- warrant requirement
- criminal procedure
- constitutional law

PRACTICE AREAS

criminal procedure

juvenile law

constitutional law

QUESTIONS PRESENTED

1. Whether the school-safety exception to the warrant requirement under Article I, section 9, of the Oregon Constitution permitted the principal to conduct a warrantless search of the youth's backpack after taking control of it.
2. Whether the immediate safety threat had dissipated because the backpack was secured and the youth was calm and compliant, such that a further search required additional facts, such as the youth reaching for the backpack.

HOLDINGS

1. A school official may conduct a limited warrantless search when, based on specific and articulable facts, the official reasonably suspects that a person on school property possesses an item posing an immediate threat to students, staff, or others, and the particular search is reasonable under the totality of the circumstances.
2. The fact that the principal had secured the backpack and that the youth was calm and compliant did not, by itself, eliminate the immediate safety threat or make a limited search unreasonable.

KEY QUOTATIONS

“when a school official develops a reasonable suspicion, based on specific and articulable facts, that a particular individual on school property either personally poses or is in the possession of some item that poses an immediate threat to the safety of the student, the official, or others at the school, the school official must be allowed considerable latitude to take safety precautions.” (at 558-59)

“Thus, school officials are not licensed to engage in an unlimited search of students and their belongings on campus based on generalized threats to safety.” (at 566)

FACTUAL BACKGROUND

A student told school officials that A. J. C. had threatened the night before to bring a gun to school and shoot her and other students. The principal investigated, learned that the threat was specific and current, and confirmed through questioning that the student and youth had been in a relationship. The principal took control of the youth's backpack, brought it to his office, and conducted a limited search of compartments capable of holding a firearm. He found .45-caliber bullets and then a .45-caliber handgun, which he turned over to a deputy sheriff.

PROCEDURAL HISTORY

The juvenile court concluded that the principal's search fell within Oregon's school-safety exception to the warrant requirement and denied the motion to suppress. After trial, the juvenile court found the youth within its jurisdiction. The Court of Appeals affirmed, concluding that the principal reasonably suspected an immediate safety threat and that the limited backpack search was reasonable. The Oregon Supreme Court affirmed the Court of Appeals and the juvenile court.

DISPOSITION

affirmed

CASES CITED

- State ex rel Juv. Dept. v. M. A. D., 348 Or. 381, 233 P.3d 437 (2010)
- State v. A. J. C., 254 Or. App. 717, 295 P.3d 1157 (2013)
- Ball v. Gladden, 250 Or. 485, 487-88, 443 P.2d 621 (1968)
- State v. Davis, 295 Or. 227, 237, 666 P.2d 802 (1983)
- State v. Bates, 304 Or. 519, 524-25, 747 P.2d 991 (1987)
- State v. Foster, 347 Or. 1, 7-8, 217 P.3d 168 (2009)
- State v. Ehly, 317 Or. 66, 83, 854 P.2d 421 (1993)
- State v. Rudder, 347 Or. 14, 217 P.3d 1064 (2009)
- State v. Gilkey/White, 172 Or. App. 95, 101-02, 18 P.3d 402 (2001)
- State v. Booker, 110 Or. App. 6, 9, 820 P.2d 1378 (1991)
- Fazzolari v. Portland School Dist. No. 1J, 303 Or. 1, 19-20, 734 P.2d 1326 (1987)