

SUPREME COURT OF LOUISIANA

State v. Benoit

817 So. 2d 11 (La. 2002) · No. 2001-KK-2712 · Decided May 14, 2002

SUMMARY

The Supreme Court of Louisiana held that a deputy did not violate La. Rev. Stat. 32:295.1(F) by stopping the defendant for a seat-belt violation, ordering him out of the vehicle for safety reasons, and observing signs of intoxication. The court concluded that the deputy's subsequent field sobriety testing and arrest were supported by independent observations of intoxication and reinstated the trial court's denial of the motion to suppress.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Traylor, J.
JURISDICTION	Louisiana
DECIDED	May 14, 2002
DOCKET	2001-KK-2712
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State sought review of the court of appeal's grant of writs and reversal of the trial court's denial of Benoit's motion to suppress evidence from a traffic stop and field sobriety investigation.
STANDARD OF REVIEW	The court reviewed the statutory interpretation issue and the legality of the suppression ruling de novo.
PRECEDENTIAL VALUE	Published Louisiana Supreme Court opinion; binding precedent in Louisiana.
PARTIES	State of Louisiana v. Tenna Benoit, Jr.

TOPICS

- criminal procedure
- suppression of evidence
- statutory interpretation
- search and seizure
- evidence

PRACTICE AREAS

- criminal procedure
- DWI enforcement
- traffic stops
- statutory interpretation
- suppression of evidence

QUESTIONS PRESENTED

1. Whether Louisiana Revised Statutes 32:295.1(F) prohibited the deputy from ordering Benoit out of the vehicle and observing him after stopping him solely for a safety-belt violation.
2. Whether the deputy's administration of field sobriety tests and related investigation violated Louisiana Revised Statutes 32:295.1(F).

HOLDINGS

1. Louisiana Revised Statutes 32:295.1, as amended in 1999, permits a traffic stop based solely on an officer's clear and unobstructed view that a motorist is not wearing a required safety belt.
2. An officer does not conduct an unauthorized inspection under La. Rev. Stat. 32:295.1(F) merely by ordering a motorist out of a vehicle for safety reasons and passively observing the motorist's gait, speech, or odor of alcohol.
3. Once the deputy observed independent signs of intoxication, La. Rev. Stat. 32:295.1(F) did not prohibit field sobriety testing, breath testing, or related investigation.

KEY QUOTATIONS

“The legislature, through its employment of the words “inspect” and “search” in the statute, clearly and unequivocally expressed its intent to prohibit law enforcement officers from obtrusive examinations or physically searching a motorist's person or vehicle for simply failing to wear a safety belt.” (16)

“However, it does not prohibit an officer from investigating signs of intoxication independent from the seat belt violation.” (16)

“After examining the text of the statute in its entirety and in light of the above analysis, we conclude that La.Rev.Stat. 32:295.1 clearly and unambiguously allows law enforcement officers to conduct field sobriety tests, and the like, upon determining signs of intoxication subsequent to stopping a motorist for violation of the Seat Belt Law.” (16)

FACTUAL BACKGROUND

A deputy observed Benoit driving without wearing a properly fastened safety belt and stopped him. After Benoit exited the vehicle, the deputy observed that he used the truck for balance, was unsteady, slurred his speech, and smelled of alcohol. Benoit failed a field sobriety test, refused a breath analyzer test after being advised of his rights, and was arrested for third-offense driving while intoxicated.

PROCEDURAL HISTORY

A Jefferson Parish deputy stopped Benoit for violating the safety-belt statute, observed signs of intoxication, administered field sobriety tests, and arrested him for third-offense driving while intoxicated. The district court denied Benoit's motion to suppress. The court of appeal granted writs, ordered the conviction reversed, and remanded, concluding that the safety-belt statute prohibited the deputy's conduct. The Louisiana Supreme Court granted writs, reversed the court of appeal, reinstated the district court's denial of suppression, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the court of appeal's order, reinstate the district court's denial of the motion to suppress, and remand to the trial court for further proceedings consistent with the opinion.

CASES CITED

- Bailey v. United States, 516 U.S. 137, 116 S. Ct. 501, 506, 133 L. Ed. 2d 472 (1995)
- United States v. Ron Pair Enterprises, Inc., 489 U.S. 235, 109 S. Ct. 1026, 1031, 103 L. Ed. 2d 290 (1989)
- Griffin v. Oceanic Contractors, Inc., 458 U.S. 564, 102 S. Ct. 3245, 3250, 73 L. Ed. 2d 973 (1982)
- State v. Benoit, 01-0810 (La. App. 5 Cir. 8/21/01)
- State v. Benoit, 01-2712 (La. 1/25/02), 806 So. 2d 662
- Bond v. United States, 529 U.S. 334, 120 S. Ct. 1462, 1463, 146 L. Ed. 2d 365 (2000)
- Florida v. Riley, 488 U.S. 445, 109 S. Ct. 693, 697, 102 L. Ed. 2d 835 (1989)
- California v. Ciraolo, 476 U.S. 207, 106 S. Ct. 1809, 90 L. Ed. 2d 210 (1986)
- State v. James, 795 So. 2d 1146, 1147 (La. 2000)
- State v. McHugh, 630 So. 2d 1259, 1261 (La. 1994)
- State v. Tate, 623 So. 2d 908, 917 (La. App. 4 Cir. 1993)
- State v. Hernandez, 410 So. 2d 1381, 1383 (La. 1982)
- Pennsylvania v. Mimms, 434 U.S. 106, 98 S. Ct. 330, 333, 54 L. Ed. 2d 331 (1977)
- State v. Waters, 751 So. 2d 290 (La. App. 1 Cir. 1999)
- State v. Edwards, 630 So. 2d 302 (La. App. 5 Cir. 1993)
- State v. Landry, 804 So. 2d 791 (La. App. 4 Cir. 2001)
- State v. Dorsey, 779 So. 2d 1008, 1013 (La. App. 4 Cir. 2001)
- State v. Harmon, 754 So. 2d 986 (La. App. 2 Cir. 1999)
- Touchard v. Williams, 617 So. 2d 885 (La. 1993)
- State v. Barbier, 743 So. 2d 1236, 1240 (La. 1999)