

A police officer (Officer) on routine traffic patrol watched Suspect drive by. Suspect was in compliance with all applicable traffic laws except the state seat belt law. The state motor vehicle code provides that police officers have discretion to make an arrest for any traffic infraction, including violation of the state seat belt law. Officer had never stopped a driver merely for violating the seat belt law. However, Officer knew that Suspect was a reputed drug dealer and stopped Suspect's vehicle, hoping to uncover evidence of a more serious crime.

Officer directed Suspect to get out of his vehicle, handcuffed Suspect, and told Suspect that he was under arrest for violating the seat belt law. Immediately afterward, Officer looked through the driver's-side car window and noticed a clear plastic bag containing white powder on the front seat of Suspect's car. Officer asked Suspect, "Are those drugs yours?" Suspect responded, "No, that cocaine isn't mine!" Officer then opened the car door and removed the bag of white powder.

Officer transported Suspect to the police station for booking. An hour later, Detective visited Suspect in the police station holding cell to attempt an interview. Detective read Suspect his *Miranda* rights. Suspect stated that he understood his *Miranda* rights but nonetheless would answer Detective's questions. Suspect voluntarily answered Detective's questions for about five minutes and then said, "I'm not sure about this. Maybe I need a lawyer." Detective did not seek clarification of Suspect's statement but continued to question Suspect, who ultimately confessed to possessing the cocaine found in his car.

The state charged Suspect with misdemeanor violation of the seat belt law and felony drug possession. Suspect has moved to suppress all the state's evidence, alleging an unlawful stop, an unlawful arrest, an unlawful seizure of evidence, and multiple *Miranda* violations.

1. Did the traffic stop and subsequent arrest violate Suspect's constitutional rights? Explain.
2. Did Officer's seizure of evidence from Suspect's car violate Suspect's constitutional rights? Explain.
3. Did Officer's questioning of Suspect violate Suspect's *Miranda* rights? Explain.
4. Should Suspect's confession to Detective be suppressed? Explain.