

Insights: Publications

Common Scents: The Intersection of the Plain Smell and Common Enterprise Doctrines

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While on patrol, a traffic officer observes a car make an illegal U-turn. He turns on his emergency lights and initiates a traffic stop. As the officer approaches the car, he notices that there are four passengers in the vehicle. When the driver rolls down his window, the officer smells a strong, distinctive odor of marijuana permeating from the vehicle. The officer asks the driver if there are any drugs in the car, to which the driver replies, "No." The passengers do not respond. The officer strongly believes that there is contraband in the car, but he does not see anything that justifies his belief.