

**SCENARIO**

Officer Jones, bored on a winter evening, was patrolling in an economically distressed part of town when he spotted a shiny vintage Chevy Malibu that he thought looked “too low” per traffic (DMV) regulations. Since he hated “low riders”, he followed the Malibu for two miles, not observing any other potential violations. Jones then turned on the siren and flashing lights to pull the car over. With a bullhorn, Officer Jones ordered the driver, Moe, and the passenger, Curly, to “get out of your [blinking] car with your hands up and put them on the hood”.

Because of their bulky jackets, Officer Jones frisked both of the young men. When he felt a hard, 8 inch object in Curly’s jacket pocket, he pulled it out. It was a cylindrical tube with a cap on top. Jones shook it, heard an object inside and opened it. Inside was a unique, distinctive diamond bracelet that Jones recognized as having been recently stolen in a violent jewelry heist. Jones immediately placed Curly under arrest and, with his gun drawn, he ordered Moe and Curly into the back of his patrol car.

Meanwhile, Jones, having arrested Curly, the passenger, asked the driver, Moe, if he could search the passenger compartment of the vehicle. Moe refused, but Officer Jones went ahead anyway and under the driver’s seat floor mat he discovered photos of the jewelry store that had been robbed. He seized the photographs and now arrested Moe also.

Unbeknownst to Moe and Curly, while Jones was searching the car, their conversations were being recorded in the patrol car. It was only several days later, after listening to the recording, that Jones learned that Moe and Curly had both admitted on tape in the patrol car that they had participated in the jewelry heist.

Moe’s vehicle was towed to the police station and during an inventory search Officer Jones discovered a safety deposit box key. Jones was able to trace the key to the Broadway branch of Bank of America. When he advised the manager of the circumstances of his key discovery, the manager showed Officer Jones where the box was located and assisted him in opening it. Additional jewels were discovered from the jewelry heist.

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