



DPS TRAINING BULLETIN

LEGAL BULLETIN NO. 221
April 24, 1998

SEIZURE OF LUGGAGE AT AIRPORT BASED
ON ANONYMOUS TIP

Reference: Joleen R. Rynearson
v.
State of Alaska

Alaska Court of Appeals
Opinion No. 1561
P.2d
December 19, 1997

FACTS:

State Troopers received a phone call from a female who wished to remain anonymous. The female gave the troopers information concerning Rynearson's transportation of drugs. The caller refused to reveal how she had obtained the information about Rynearson. The caller stated that Rynearson was arriving in Anchorage from Mexico on an Alaska Airlines flight. She furnished the date of arrival and the flight number, as well as a physical description of Rynearson and her luggage. She stated Rynearson would be carrying Valium, Quaaludes and morphine on her person, in her luggage and concealed in plastic toys.

Troopers learned that Rynearson was booked on the Alaska Airlines flight provided. After Rynearson had claimed her checked baggage, the troopers approached her and questioned her. She confirmed that she had just arrived from Mexico and was in possession of prescription Valium. Her luggage was seized. A warrant was obtained and the luggage was searched.

She argued that the troopers did not have probable cause to seize her luggage, based on the Aguilar-Spinelli two-prong (reliability and personal knowledge) test.

ISSUE:

Did the troopers have probable cause to seize Rynearson's luggage, based on the tip received from an anonymous informant?

HELD: Yes.

REASONING:

1. The anonymous tip in Ryneerson's case was sufficiently detailed to support the inference that the informant was speaking from personal knowledge.

2. The "reliability prong" is satisfied by sufficient corroboration of the informant's tip--flight number, etc.

3. Moreover, in the context of the informant's tip, Ryneerson's admission that she was carrying Valium was not a "wholly innocuous" detail; instead, this information was partial corroboration of the informant's primary incriminating assertion that Ryneerson was bringing Valium, Quaaludes and morphine to Alaska.

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