

**Brendlin v. California**

After officers stopped a car to check its registration without reason to believe it was being operated unlawfully, one of them recognized Brendlin, a passenger in the car. Upon verifying that Brendlin was a parole violator, the officers formally arrested him and searched him, the driver, and the car, finding, among other things, methamphetamine paraphernalia. Charged with possession and manufacture of that substance, Brendlin moved to suppress the evidence obtained in searching his person and the car, arguing that the officers lacked probable cause or reasonable suspicion to make the traffic stop, which was an unconstitutional seizure of his person.

The Court held that when police make a traffic stop, a passenger in the car, like the driver, is seized for 4th Amendment purposes and so may challenge the stop's constitutionality. The test is that a seizure occurs if in view of all of the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave. When a person has no desire to leave for reasons unrelated to the police presence, the coercive effect of the encounter can be measured better by asking whether a reasonable person would feel free to decline the officers' requests or otherwise terminate the encounter.