

and issued a traffic citation because the vehicle had illegally darkened windows. After issuing the ticket, they observed what they regarded as suspicious movements by the driver inside the vehicle, apparently placing something in the center console between the two front seats. The police thereupon proceeded to enter the vehicle and examine the contents of the center console, and recovered a silver revolver, fully loaded with live rounds. In a related resulting interview, the defendant, Ronald Colen, admitted that the weapon was his.

It was, and is, my opinion that the crucial fact in this scenario is that the vehicle which the defendant was driving had tinted windows. It is not unreasonable for a police officer to be suspicious of possible criminal activity in a vehicle thus decorated, particularly in a high-crime area of the City. Moreover, the actions of the driver could not be as clearly seen through darkened windows, and may well have appeared more furtive than they would have if the windows had been clear glass.

In short, I accept as correct the testimony of the police officers, to the effect that they became suspicious and alarmed, and reasonably believed that search of the vehicle was justified.

An Order follows.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.

