

Hudson v. michigan

Law



Opinion on Hudson v. Michigan case I fully consent with the opinion of the court about the Hudson v. Michigan case that was declared on 15 June 2006. In order to decide whether or not Hudson should have been granted the suppression of evidence found by Officer Jamal Good because of lack of wait for a reasonable time before entering Hudson's place and the consequent violation the known-and-announce rule on the part of the police, it is imperative the fundamental reasons for which the knock-and-announce rule was made are taken into consideration. The knock-and-announce rule was made to provide the police officers with protection from the retaliation of the surprised residents as they might retaliate in self-defense, to provide the private property with protection from harm, and to safeguard the dignity and privacy of the residents. Considering the details of the Hudson v. Michigan case, it becomes obvious that the police officers did not face retaliation from the residents. They neither damaged any private property of the residents nor harmed the dignity of the residents and particularly Hudson. Although his privacy might be considered intruded into, yet this is balanced out by the fact that Officer Jamal Good did wait for three to five seconds before entering Hudson's home, which can be considered a reasonable time considering the fact that the investigation was made fundamentally to find drugs and firearms that could have easily been hidden had the police waited any longer. Besides, the knock-and-announce rule was never employed to protect the personal interest of a resident in hiding the evidence needed by a warrant from the government. If Hudson was granted his appeal, the negative effects of the decision would have far outweighed the positive outcomes and the decision would have led to increased and unreasonable freedom of the convicts in the future cases as well.

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The criminal procedure in the US is derived from a range of legal sources that include but are not limited to the US Constitution's baseline protections, state statutes, federal statutes, state and federal rules regarding the criminal procedure, and the federal and state case laws. The criminal procedure in the US has a very rational process of presentation of evidence in which the case is first presented by the prosecution in which the prosecution summarizes its arguments through an opening statement. The defense in turn might wait for the prosecution to complete its presentation of the case completely or might give its opening statement. The prosecution calls upon the witnesses to provide physical evidence of the guilty of the defendant. The defense addresses the court after completion of the prosecution. Another strength of the criminal procedure in the US is that the burden of proof rests upon the shoulders of the prosecution. The defense needs to prove that the crime was not possibly committed by the defendant given the proof of the prosecution might be unreasonable. After completion of the presentation of cases of prosecution and defense, the case is delivered to the jury that takes the decision in light of the laws.