

Criminal evidence

Law



Criminal Evidence The Fourth Amendment was meant to help prevent police officers from conducting unlawful searches upon people, houses, personal effects, and other items. The main purpose of the law was to make sure that police officers were not given a window of opportunity to abuse their powers as law enforcers by conducting searches that are not sanctioned by the law. However, the Fourth Amendment allows police officers to conduct Stop and Frisk searches when they have a suspicion that a person might be involved in an illegal activity. However, this does not give the police officer the right to conduct the stop and frisk simply on a hunch.

That is why the search scenario that was depicted in our class reading should be considered illegal. Although the police officer had overheard something that seemed like the person he stopped was involved in drug dealing, he did not hear the other end of the conversation so he can be considered to have performed an illegal search. As such, any evidence that he gathered at the scene cannot be admitted into court as evidence (“ Fourth Amendment Law”, n. d.).

Since the police officer was undertaking the search merely on the basis of Stop and Frisk, the implied consent of the accused did not include permission to open the brown paper bag (“ Terry v. Ohio”, n. d.). The police officer overstepped the bounds this time and violated the Fourth Amendment. He conducted an unreasonable search that violated the persons right to privacy since he opened the personal effects of the person which resulted in his acquiring evidence that he should not have had access to in the first place.

Sources

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