

Arkansas v. sanders

Law



Arkansas Vs. Sanders Do you agree or disagree with the way Arkansas Vs. Sanders case was ruled? In my opinion I don't agree with the way the Arkansas Vs. Sanders case was ruled Because they violated his rights. I understand he was transporting drugs to possibly sell them but they should have handled it in a better way. I don't think that it was right for the police to search his property with out permission or even a warrant because it violates the 4th and 14th amendment, which clearly states that The fourth amendment of the U.

S. Constitution provides, " The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. " Ultimately, these words endeavor to protect two fundamental liberty interests - the right to privacy and freedom from arbitrary invasions.

And the 14th amendment says, all persons born or naturalized in the United States, which included former slaves recently freed. In addition, it forbids states from denying any person " life, liberty or property, without due process of law" or to " deny to any person within its jurisdiction the equal protection of the laws. On April 23, 1976 officer David Isom of the little rock, Arkansas, police department received information that the suspect would be arriving at American Airlines Flight No. 1 at 4: 35 that afternoon.

He was also informed that the suspect who was later identified, as David Rambo would be carrying a green suitcase containing marijuana. Officer David Isom had already come in contact with the suspect before in January

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1976 when he was charged with possession of marijuana. So officer Isom and 2 other police officers watched out for the suspect who arrived on time just like the informant told them. As the suspect left the airport he was followed by officer Isom and one other police officer and with help of a patrol car they pulled them over a couple blocks away from the airport.

When the officer Isom approached the vehicle he asked the taxi driver to open his trunk and without the suspect's permission he searched his luggage. On October 14, 1976 the case made it to the Supreme Court and the suspect David Rambo was charged with possession of marijuana and with intent to deliver. Before the trial the suspect moved to suppress the evidence that was in the suitcase, because they violated his right under the 4th and 14th amendment.

On January 31, 1977 the court had another trial to suppress the evidence but they overruled it with no exception but the supreme court of Arkansas looked at the suspect conviction and that the people should have thrown out the evidence because they did not have a warrant or any permission to search his belongings but they searched it because there was probable cause. On recent cases like *United States v. Chadwick*, *supra* and *Coolidge v. New Hampshire* they went through the same thing when the police searched their belongings without a warrant so when they had their trial they overruled the suppress motion because of probable cause.

On February 3, 1977 he was sentenced to 10 years in prison and was fined \$15,000. In rendering a decision in *Sanders*, the Court concerned itself with aspects of the case comparable to *United States v. Chadwick* where evidence was illegally obtained under similar circumstances. As in *Chadwick* <https://assignbuster.com/arkansas-v-sanders/>

police acting on probable cause opened luggage found in the trunk of a parked car and searched it without a warrant. The majority justices reasoned that in both cases there was no danger of law enforcement losing the luggage or its contents since the containers were under the exclusive control of the arresting officers.

Thus, the Court concluded the state failed to demonstrate a need for warrantless search of property stored in the trunk of a stopped automobile; like the vehicle in which it rode, the luggage was no longer mobile. Arresting officers had to assess the likelihood of an automobile leaving the scene at the point immediately before a search commenced. In circumstances where police had already seized the object of their interest and held it directly under their control, a search could not be conducted without a warrant.

Thus, in rendering the Court's decision, the justices provided specific guidance for law enforcement and the lower courts. The Warrant Clause contained in the Fourth Amendment applies to personal luggage taken from an automobile to the same degree it applies to luggage seized in other locations. Although the general principles applicable to claims of Fourth Amendment violations are well settled, litigation over requests for suppression of highly relevant evidence continues to occupy much of the attention of courts at all levels of the state and federal judiciary.

Courts and law enforcement officials often find it difficult to discern the proper application of these principles to individual cases, because the circumstances giving rise to suppression requests can vary almost infinitely. However, an apparently small difference in the factual situation frequently is viewed as a controlling difference in determining Fourth Amendment rights.

The present case presents an example. Only two Terms ago, we held that a locked footlocker could not lawfully be searched without a warrant, even though it had been loaded into the trunk of an automobile parked at a curb.

United States v. Chadwick, (1977). In earlier cases, on the other hand, the Court sustained the constitutionality of warrantless searches of automobiles and their contents under what has become known as the "automobile exception" to the warrant requirement. *Chambers v. Maroney* (1970), *Carroll v. United States* (1950). We are presented with the task of determining whether the warrantless search of respondent's suitcase falls on the *Chadwick* or the *Chambers/Carroll* side of the Fourth Amendment line. Although in a sense this is a line-drawing process, it must be guided by established principles.