

Term paper on supreme court case: mapp v. ohio

[Experience](#), [Belief](#)



Introduction (Overview)

According to the fact pattern, the case assumes the same character in terms of facts and approach as the case of Mapp v. Ohio. In this case, Detective Quickdraw relying on the information received from the informant Sneaky Pete acts in good in faith and attacks the home of suspected drug dealer Sally Martin. However, contrary to the expectation, the cocaine is not found. Instead the suspect is found in possession of an illegally held handgun and some amount of heroine. The officers press charges for possession of illegal weaponry and heroine contrary to the law. This is despite the fact that the search was not legally sanction as consent was not given. It, therefore, calls for an analysis of the application of two essential principles to the search warrant, that is, the Exclusionary rule and the Fruits of Poisonous Tree Doctrine. In the long run, it is instructive to appreciate the fact that the administration of justice must not be impeded through constitutional provisions such as the search warrant granted by the Fourth Amendment.

Facts

The fact pattern presents facts that can be categorised into two wide groups. These are the relevant and the irrelevant facts. The relevant facts are those facts that would be essential in the ruling of the case by the judges while the irrelevant facts are those which no consequence or use in arriving at the decision. The relevant facts include the following. Foremost, Detective Quickdraw relying on the information and evidence brought forth by informant Sneaky instructed Detective Worthy to draw a search warrant and have it signed and sanctioned by judge. In addition, Detective Quickdraw

only attacked the house after waiting for some reasonable time and observing the movement by persons within the home. Of additional relevance is the fact that in the search, despite not finding any cocaine as expected, some heroine and an illegal handgun was found in the possession of the suspect. The irrelevant facts include the fact that the Detective had some samples of cocaine allegedly from the drug dealer Sneaky and the additional fact that the suspect had been suffered a previous conviction on a felony of drug violation. This is because basing an argument on that would be occasion a double jeopardy on the suspect as she had previously been convicted.

Rules of Law

The most essential rule of law in the case is the Fourth Amendment Constitutional provision which safeguards parties against unwarranted searches. The accused can also rely on the principle enunciated in the Doctrine of the Fruits of the Poisonous Tree. In that doctrine evidence that is obtained in the search and currency of searching for evidence in an illegal or prohibited manner shall not be admissible in a court of law. In addition, the accused shall rely on the ruling in Mapp v. Ohio in which the court held that illegally obtained evidence contrary to the Fourth Amendment provisions shall remain inadmissible for purposes of trails in a court of law. However, the prosecution could rely on the general exemptions of the Fourth Amendment. Primarily it needs to rely on the Exclusionary Rule which gives the discretion to law enforcement officers at the federal and state level to violate the Fourth Amendment subject to a number of conditions.

Applications of rules of law

The Fourth Amendment was indeed violated and it is the onus of the court to explore and find whether the conditions justify the application of the Exclusionary Rule. In brief, the Fourth Amendment requires that any searches be conducted with warrants for search sanctioned by a competent judicial officer. This was not the case. In addition, the ruling in *Mapp v. Ohio* when applied means any evidence so obtained or collected in the duration of pursuit of evidence, the collection of which lacks the sanction of court shall not be admissible in a court of law. This is the principle as enunciated in the Doctrine of the Fruits of the Poisonous Tree. However, it is this paper's contention that the case falls outside the confines of the Fourth Amendment rights and the doctrine and that the evidence collected need to be admitted under the Exclusionary Rule. The Exclusionary Rule provides for the unwarranted searches as long as the parties demonstrate that they acted reasonably, in good faith and in the interest of the public. Indeed, the actions of Detective Quickdraw were reasonable and in good faith given that he relied on information by Pete, had undertaken steps to obtain a warrant and was acting within the confines of the law.

Conclusion

Even though the ruling in *Mapp* and *Ohio* held that the evidence was inadmissible, it is this paper contention that the evidence ought to have been admissible and that the situation in this case falls under the province of the Exclusionary Rule as envisaged by the courts in arriving at the rule. In overall, it must be noted that the law must not be exploited to facilitate

crime or prevent the prosecution of crime. The law must be reasonable and allow for expeditious and just administration of justice.

References

Benipayo, A. L. (2004). Evidence: Basic Principles and Selected Problems. *UST Law Review*, 7(2), 93-129.

Cruikshank, C. (2007). Dismantling The Exclusionary Rule: United States v. Leon and the Courts of Washington-Should Good Faith Excuse Bad Acts? *University of Puget Sound Law Review*, 415-439.

Friedland, S. I., Bergman, P., & Tasli, A. E. (2007). Evidence law and practice. New York: LexisNexis.

Government Archives. (n. d.). The Constitution of the United States of America. Washington D. C.: Government Archives .

Kozuskanich, N. (2008). Originalism, History and the Second Amendment: What Did Bearing Arms Really Mean to the Founders? *Journal of Constitutional Law*, 10(6), 414-443.

Nemeth, C. (2011). Law and Evidence: A Primer for Criminal Justice, Criminology, Law and Legal Studies. New York: Jones & Bartlett Learning.