

Crime

Law



**ASSIGN
BUSTER**

Facts The New Jersey Supreme Court argued that the school and New Jersey had no reasonable cause to conduct such searches at school. The lower court had stated that school administrators do not need to have the search warrants to conduct searches at school. The lower court also said that the administrators did not need probable causes in searches as students have reduced privacy expectation while at school.

Issues

The State appealed the decision of the New Jersey Supreme Court. The state argued that her Fourth Amendment rights were not violated. The state argued that unreasonable searches and seizures had not been conducted against her but were in accordance with the law (McInnis 175-176).

The Holding

The Supreme Court in 1985 overturned the ruling of the New Jersey Supreme Court. The court stated that the school and New Jersey had reasonable standards for conducting searches at school.

The Rationale

The Supreme Court argued that based on the school administrators say, they needed to maintain discipline and order at school. T. L. O possession of cigarettes was enough to determine if she was truthful as she was caught in the bathroom and then taken to the office. That was reasonable to assume that there were cigarettes in her purse. The deputy principal, therefore, had enough reasons to suspect rules had been broken prompting a search immediately. As deputy principal searched for the cigarettes, he noted the evidence for drugs was in plain view. A condition where the evidence is in plain view gives an exception to the Fourth Amendment. The reasonable search for drugs led to discovery of drug related materials. The search

further continued to reveal the cigarette rolling papers and the bag of marijuana (Bosher, Cate & Richards 3-5).

The Case Significance

The case followed the constitutional requirements where personal rights particularly the Fourth Amendment should not be violated and at the same time social order is maintained. Following the right procedures with bring sanity to school environments.

Works Cited

Bosher, William C., Kate R. Kaminski, and Richard S. Vacca. The school law handbook what every leader needs to know. Alexandria, Va.: Association for Supervision and Curriculum Development, 2004. Print.

McInnis, Thomas N.. The evolution of the Fourth Amendment. Lanham, MD: Lexington Books, 2009. Print.