

Mapp v. ohio case: exclusionary rule



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What is the issue? Some police officers went to the appellant's home without a search warrant. They were informed that a suspect was hiding in the home as well as a large amount of betting equipment. On reaching the house the officers were not admitted inside because the appellant was not satisfied with them wanting to enter without producing a search warrant. Some hours later with the help of some other officers, one of the doors to the house was forcibly open after the appellant refused them entry for a second time. The attorney of the appellant arrived shortly afterwards but was not allowed to have any communication with her. After demanding to see the search warrant one of the officers held up the supposedly warrant. The appellant seized it and secured it on her person. Consequently a struggle ensued and she was handcuffed and forcibly taken to different rooms in the house where searches were carried out by the officers. Obscene materials were found in a trunk located in the basement of the building.

What is the constitutional basis for the Courts ruling?

Mapp appealed to the Supreme Court of the United States after her appeal to the Supreme Court of Ohio was denied. The decision was done in her favor. Under constitutional law the Exclusionary Rule was brought into effect in this case. This rule which stems from the Fifth Amendment states that no object may be used in court if obtained illegally or without a proper search warrant. There is considerable doubt that the document that Mapp seized from the police was in a fact a search warrant. They did not introduce a search warrant as evidence during the trial. Another conditional basis for the Court's ruling also stems from the Fourth Amendment. This amendment gives protection against unreasonable searches and seizures. It states " The right of the people to be secure in their persons, houses, papers, and effects,

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against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause . . . and particularly describing the place to be searched, and the persons or things to be.” The police had acted improperly by searching without a warrant. Therefore, any incriminating evidence found during the search was not supposed to be used against her since the evidence seized was in violation of the Fourth Amendment. The court noted that under the constitution the Fourth Amendment sets the standard for searches and seizures conducted by law official in the United States of America.

What effect does the ruling have on evidence in a trial?

Prior to Mapp’s trial the Exclusionary Rule was not enforced in all states. The decision made as a result of the trial allowed all states to have the Rule. This ruling allowed for protection of all citizens regardless of which state the case would be tried. Under the old way prosecutors could manipulate the system by producing illegal evidence. The judge would not question the seizure of the evidence especially if it was in a state that did not have the Exclusionary Rule. As a result of this decision, however, evidence gained by an illegal search or seizure became inadmissible in court and excluded in court. Police officers were restrained somewhat because they were barred from producing this type of evidence in court.

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