

Rights of the Criminally Accused: Investigations and Evidence

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The Fourth Amendment

- “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.”

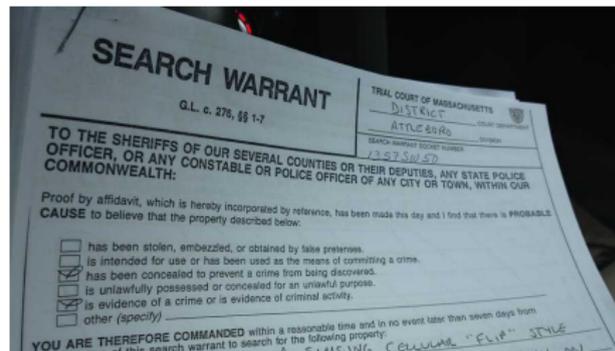
What constitutes a search or seizure?

- *Olmstead v. United States* (1928)
- *Katz v. United States* (1967)
- *United States v. Jones* (2012)
- *Carpenter v. United States* (2018)



Search warrants

- *Aguilar v. Texas* (1964)
- *Spinelli v. United States* (1969)
- *Illinois v. Gates* (1983)



Places to be searched

- *Kyllo v. United States* (2001)
- *Florida v. Jardines* (2013)
- *Safford Unified School District No. 1 v. Redding* (2009)
- *Florence v. Board of Chosen Freeholders of the County of Burlington* (2012)



The Exclusionary Rule

- *Weeks v. United States* (1914)
- *Wolf v. Colorado* (1949)
- *Mapp v. Ohio* (1961)



Dollree Mapp

Exceptions to the Exclusionary Rule

- *United States v. Leon* (1984)
- *Murray v. United States* (1988)
- *Hudson v. Michigan* (2006)
- *Utah v. Strieff* (2016)



Amendment V and Self-Incrimination

- *Escobedo v. Illinois* (1964)
- *Miranda v. Arizona* (1966)
- *Dickerson v. United States* (2000)
- *Missouri v. Seibert* (2004)



Ernesto Miranda

Conclusion

- As in other areas of constitutional law, we see a familiar arc to the Supreme Court's trajectory involving the rights of the criminally accused.
- Under the Warren Court, justices radically expanded defendants' rights under the Fourth and Fifth Amendments.
- The pendulum gradually swung in the other direction, however, during the Rehnquist and Roberts Courts.