

RIGHTS OF THE ACCUSED
THE EXCLUSIONARY RULE

Student Handout: CASE STUDY 1: *ROCHIN V. CALIFORNIA*

Justices:



Los Angeles Deputies had information that Anthony Rochin was selling narcotics. Three deputies entered the Rochin home through an open door without a warrant. The deputies forced open his bedroom door and observed what appeared to be drugs on the table next to his bed. Anthony grabbed two pills off the table and swallowed them. The deputies forcefully tried to open his mouth in an attempt to recover the pills. Rochin was then taken to a local hospital where his stomach was pumped against his will. Rochin vomited two capsules of morphine (a narcotic), which police intend to use at his trial.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their decision: _____

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Student Handout: CASE STUDY 2: *BREWER V. WILLIAMS*

Justices:



Robert Williams was seen carrying an object from the YMCA in Des Moines, Iowa. The object was wrapped in a blanket and had two legs protruding from it. An ten-year-old girl was missing from the YMCA. Williams was arrested the next day in a neighboring city. He was given his rights and was allowed to speak with his attorney by telephone. Williams told the police he did not want to talk about the case without his attorney present. Two police officers drove Williams back to Des Moines. During the ride, the police officers brought up the case saying how sad it is that the parents of the girl are not allowed to have a "Christian burial." Williams, overcome with guilt, made incriminating statements and led the police to the body. The statements and body are to be used as evidence.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their decision: _____

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Student Handout: CASE STUDY 3: *BROWN V. STATE OF MISSISSIPPI*

Justices:



Deputies arrested Ed Brown and Henry Shields and took the two of them to the county jail. They were told to take their clothes off and lay down on chairs. The deputies whipped the two accused with leather straps that had buckles attached. The buckles cut into their backs, causing severe pain and bleeding. The defendants were told that they must confess to the crime of murder. They were told exactly what they were to say. If they did not confess, they were told the whipping would continue until they confessed. The defendants confessed in every detail as instructed by the deputies. The confessions are to be used at the upcoming murder trial.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

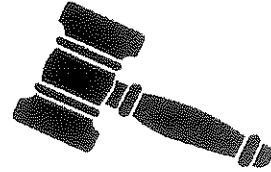
Supreme Court's Decision: _____

Justification for their decision: _____

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Student Handout: CASE STUDY 4: *MIRANDA V. ARIZONA*

Justices:



Ernesto Miranda was arrested and questioned by police officers regarding the rape of an Arizona woman. Miranda was not told that he did not have to answer the police officers' questions, nor was he told that he had a right to speak with an attorney. After two hours of questioning by police officer, Ernesto Miranda confessed to the rape. Police officers intend to use the confession at his trial.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their decision:

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Student Handout: CASE STUDY 5: MAPP V. OHIO

Justices:



Three Cleveland police officers looking for a bombing suspect, asked to search the home of Ms. Mapp. They believed that the suspect was in her home. Ms. Mapp refused to allow the search. Three hours later, seven police officers forcibly entered the home. They gave Mapp a blank sheet of paper, claiming it to be a search warrant. An attorney representing Mapp was present. He was not allowed to talk to Mapp, see the search warrant or to enter the home. No suspect was found. Officers did find "obscene material" in a trunk in the basement. Mapp was charged with possession of obscene material, and the seized material was to be used at her trial.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

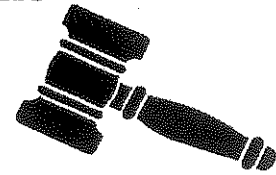
Supreme Court's Decision:

Justification for their decision:

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Student Handout: CASE STUDY 6: MINNESOTA V MURPHY

Justices:



Marshall Murphy was on probation and required to participate in a treatment program for sex offenders. During treatment, he admitted to the murder and rape of a teenage girl. The treatment counselor notified the probation officer of the murder confession. This was brought up at the next probation meeting. During the meeting, Murphy admitted to the probation officer that he had raped and murdered the girl six years earlier. The probation officer notified the Minneapolis police who arrested and charged Murphy with first degree murder. The police intend to use his confession at the murder trial.

- Q. What constitutional amendment(s) might apply to this case and why?

- Q. List reasons why the evidence should be allowed?

- Q. List reasons why the evidence should be disallowed?

- Q. The *Majority Opinion* of this court states that (List what your group has decided and give the reasons along with specific references to the Constitution.)

- Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states..... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their decision: _____

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Student Handout: CASE STUDY 7: KATZ V. UNITED STATES

Justices:

Charles Katz was a rather unsavory character who was involved in an illegal gambling operation. To further his betting, he regularly used a particular payphone on a particular street in Los Angeles to make phone calls to Miami and Boston. The F.B.I. suspected Katz of running the gambling operation and, thus, placed an electronic surveillance device (a "bug") on the payphone to record his calls. Based on the calls, Katz was arrested and in court he challenged the use of the calls saying that his Fourth Amendment rights were violated by the "search" of his conversations. Katz claimed he has a reasonable expectation of privacy in the conversations.

Q. What constitutional amendment(s) might apply to this case and why?

Q. List reasons why the evidence should be allowed.

Q. List reasons why the evidence should be disallowed.

Q. The *Majority Opinion* of this court states that... (List what your group has decided and give the reasons along with specific references to the Constitution.)

Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states... (List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their Decision:

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Student Handout: CASE STUDY 8: NEW JERSEY V. T.L.O.

Justices:

A fourteen year old student (initials T.L.O.) was suspected of smoking cigarettes in the bathroom with another student. Both girls were brought to the principal's office. T.L.O. denied smoking. The other girl confessed. The Principal decided to search T.L.O.'s purse. He did so and found a pack of cigarettes. After finding the cigarettes he continued to search and found marijuana and other items associated with marijuana selling. During her juvenile prosecution, T.L.O. challenged the Principal's search as a violation of her Fourth Amendment rights.

Q. What constitutional amendment(s) might apply to this case and why?

Q. List reasons why the evidence should be allowed.

Q. List reasons why the evidence should be disallowed.

Q. The *Majority Opinion* of this court states that...(List what your group has decided and give the reasons along with specific references to the Constitution.)

Q. If you do not all agree, then there is a *Dissenting Opinion*. The Dissenting Opinion of this court states...(List reasons why one or more of the judges disagree with the majority of the court along with specific references to the Constitution).

Supreme Court's Decision: _____

Justification for their Decision:

