

Important Case Law (<http://education.occourts.org/brimportantcases.asp>)

4th Amendment

New Jersey v. T.L.O., 469 U.S. 325 (1985): a school official caught T.L.O smoking in a school bathroom. She was taken to the principal's office, where the assistant vice-principal demanded to see her purse. He found a pack of cigarette rolling papers, marijuana, a pipe, empty plastic bags, a bunch of one dollar bills, and a list of students who owed T.L.O. money. The Supreme Court ruled that school officials don't need a warrant before searching a student on campus if they have a justifiable reason that is related to the search.

Hayes v. Florida, 470 U.S. 811 (1985): the police found a burglar-rapist's fingerprints and shoeprints in the victim's apartment. The detectives interviewed 35 men fitting the description, and Hayes became the prime suspect. The police visited Hayes' home to get his fingerprints even though they had no probable cause or a warrant. When Hayes didn't want to go to the police station for fingerprinting, an officer threatened to arrest him, so Hayes agreed to go. The Supreme Court ruled that the police may not force a person from his home or elsewhere without probable cause or a warrant.

Washington v. Chrisman, 102 S.Ct. 812 (1982): a university police officer saw a student leave his dorm carrying a bottle of gin, and because he looked underage, the officer asked for his I.D. The student asked if he could go back to his room and get it, so the officer followed him and, while standing in the open doorway, he saw what looked like marijuana seeds and a pipe lying on the desk. The officer went inside, checked to see that he was right, and arrested both the student and his roommate. The Supreme Court ruled that as long the student gives permission to the university officer to come along to the dorm room, the officer may seize the drugs and contraband in plain view and arrest the student.

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, 122 S.Ct. 2559 (2002): Earls was a member of the choir, the marching band, the Academic Team, and the National Honor Society. His school required all students who want to participate in any extracurricular activity to take a random urine drug test, which tested only for illegal drugs. But in practice, this policy has been applied only to competitive extracurricular activities, such as the ones in which Earls participated. Earls challenged the special need for testing students who participated in extracurricular activities, arguing that the policy doesn't address a proven problem or promises to bring any benefit to students or the school. The Supreme Court ruled that the school has the authority to require all students who participate in any extracurricular activities to take the drug test because the school district has an important interest in discouraging and preventing drug use.

5th Amendment

Miranda v. Arizona, 384 U.S. 436 (1966): the police arrested a suspect but didn't tell him he had a right to remain silent and see his lawyer before questioning him. The Supreme Court ruled that the police must tell the suspect that he has a right to be silent and to see his lawyer. If the police don't do that, nothing the suspect says during questioning will be admissible during trial.

Berkemer v. McCarty, 468 U.S. 420 (1984): if the police stops a driver for a routine traffic stop, they don't have to give him or the passengers their Miranda rights because these stops are brief, public, and

there's not a lot of pressure, unlike in the interrogation room at the police station. But, the police must give Miranda rights when the traffic stop turns into an arrest.

New York v. Quarles, 467 U.S. 649 (1984): if the police believe that the public or their own safety is threatened, they don't have to give a suspect his Miranda rights before asking him if he has any weapons on him and securing the area. 14

Price v. Georgia, 398 U.S. 323 (1970): a person may not be prosecuted twice for the same crime.

Monge v. Calif., 524 U.S. 721 (1998): although a person may not be prosecuted twice for the same crime, a judge can give a tougher punishment for the later crime if the person had prior convictions ("Three Strikes Law").

6th Amendment

Duncan v. Louisiana, 391 U.S. 145 (1968): Duncan, a black teen, was convicted of battery without a jury trial for slapping a white teen, but it wasn't actually clear if he slapped him or just touched his elbow. Duncan asked for a jury trial but was denied the request. He would be entitled to a jury trial for capital punishment or imprisonment with hard labor, but this was a misdemeanor, which is a lesser crime. Nonetheless, the Supreme Court ruled that in criminal cases, trial by jury is guaranteed because it protects against unsupported charges and against judges who automatically believe the police over the defendant.

Gideon v. Wainwright, 372 U.S. 335 (1963): Gideon was charged with breaking and entering. He was poor, so he asked the court to appoint an attorney for him at trial. The court refused because the law didn't require lawyers for the poor except in capital offense cases. So Gideon defended himself without a lawyer and was convicted and sentenced to 5 years in jail. The Supreme Court ruled that the poor have the right to a lawyer because it's necessary to a fair trial.

Escobedo v. Illinois, 378 U.S. 478 (1964): Escobedo was arrested for murder, and while being driven to the police station, he was told that he might as well confess because his accuser told the police everything. He asked to see his lawyer but was refused. When the lawyer came, he wasn't allowed to see his client because the questioning wasn't over yet. The police finally got a confession out of Escobedo. The Supreme Court ruled that the 6th Amendment guarantees the right to a lawyer after indictment. Although Escobedo wasn't indicted yet, he had realistically been accused of a crime because the whole purpose of questioning was to get a confession. Therefore, Escobedo was entitled to a lawyer.