

SUPREME COURT REVIEW AND PREVIEW

David A. Moran, University of Michigan Law School

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I. Search and Seizure

A. What Constitutes a “Search”?

United States v. Jones (argued November 8, 2011)

Did the government violate the defendant’s Fourth Amendment rights by installing a tracking device on his car without a warrant and using the device to monitor his movements on public streets?

B. Administrative and “Special Needs” Searches

Florence v. Board of Freeholders (argued Oct. 12, 2011)

Does the Fourth Amendment require that jail officials have reasonable suspicion to strip-search arrestees who have been arrested for civil infractions or minor crimes not involving contraband or weapons?

C. The Exigency Exception

Kentucky v. King, 131 S.Ct. 1849 (2011)

The police may invoke the exigency exception to justify a warrantless entry even if the police “created” the exigency so long as the exigency was not created by police action violating or threatening to violate the Fourth Amendment.

D. Exclusionary Rule

Davis v. United States, 131 S.Ct. 2419 (2011)

If the police perform a search relying on precedent later overturned (in this case, *New York v. Belton*, overturned in *Arizona v. Gant*), the evidence found is admissible under the “good faith exception” to the exclusionary rule.

II. Eyewitness Identification—Due Process Violations

Perry v. New Hampshire (argued November 2, 2011)

Could the admission of a suggestive identification procedure violate due process even when the police did not orchestrate the identification?

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