**Allowed or Not Allowed?**

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

You are the judge.For each of the following situations, **first** decide whether or not the confession or the evidence would be allowed in your court. **Second**, provide justification for your decision.

1. Eyewitnesses tell the police that a man is illegally keeping a tiger in his basement. Police use the info to obtain a warrant, and discover the tiger. The man is charged with illegally housing a dangerous animal. He claims the search was illegal.

Will you allow this evidence in court? \_Yes\_\_\_ Justification: Legal search warrant

2. Security agents at the airport catch a woman trying to smuggle drugs through the security checkpoint. She is charged with drug possession. The woman claims the agents did not have probable cause to search her.

Will you allow this evidence in court? \_Yes\_\_ Justification: Lawful inspection- customs and airport security do not need warrants.

3. A suspect is accused of stealing a car. Police get a warrant to search the man's garage for the car. While in the garage, the police open a trash bag that contains illegal drugs, and they use that evidence to indict him on drug charges.

Will you allow this evidence in court? \_No\_\_ Justification: Not in plain sight. Car would not be in bag.

4. A man, who has been read his rights, is questioned about a bombing. His attorney advises him not to speak, and asks the police to end the interrogation. The police ask the suspect more questions, and he confesses to the crime. The attorney claims the confession should be thrown out.

Will you allow this evidence in court? \_Yes\_\_ Justification: Suspect was read rights, decided to talk anyways.

5. Police obtain a legal warrant to search for child pornography at a suspect's home. While in her home the officers see 10 marijuana plants growing in the TV room. She is charged with drug possession. She claims this evidence should be thrown out since the police were not looking for drugs.

Will you allow this evidence in court? \_\_Yes\_\_ Justification: Item was in plain sight, and officers had right to be there.

6. A drunken suspect in a burglary is read his rights and questioned by police. The suspect implicates himself in the crime, and he is charged. The suspect's attorney claims the information gained from the interrogation should not be allowed in court.

Will you allow this evidence in court? \_No\_\_\_ Justification: Suspect is not in a frame of mind to understand his rights.

7. Police enter a burning house to save a child, but discover illegal weapons in the child's bedroom. The parents are charged with having illegal weapons. The couple claims the police did not have a warrant to enter the house.

Will you allow this evidence in court? \_Yes\_\_ Justification: Emergency situation. Police had reason to be in house.

8. After being arrested for DUI, the police discover stolen credit cards in the woman's purse. She is charged for that crime as well. The woman claims the police had no right to search her purse as she was only arrested for DUI.

Will you allow this evidence in court? \_\_Yes\_\_ Justification: Inventory search to document suspects property.

9. A number of young men are seen running from the area of a recent brawl. They are stopped and questioned by police. One young man is discovered to have a handgun in his coat pocket, and does not have a permit to carry a concealed handgun. He is charged with carrying a concealed weapon. The man claims the officer did not have probable cause to search him for weapons.

Will you allow this evidence in court? \_Yes\_\_\_ Justification: Stop and frisk (Terry Stop)

10. The police chase an arson suspect into an office building. While searching for him, they discover an illegal alcohol distribution operation. They confiscate the materials, and the business owner is charged with illegal distribution of alcohol. He claims the evidence was seized without a warrant.

Will you allow this evidence in court? \_\_Yes\_\_ Justification: Officers were in hot pursuit of a suspect and had the right to be there.

11. A man with dark hair is seen selling drugs on the corner near a school. The police obtain a warrant to search a house 2 miles away of a man who has dark hair. They do not find any drugs, but they find evidence of his involvement in an insurance fraud scheme, and he is charged with insurance fraud. The man claims the search warrant should never have been issued.

Will you allow this evidence in court? \_\_\_No\_ Justification: Dark hair not enough probable cause. Lacks totality of circumstances.