AELE Amicus Curiae Brief Cases

Supreme Court of the United States

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Won (2010)
Kentucky v. King.
No. 09-1272, 2011 U.S. Lexis ---.
AELE, joined by the IACP and NSA, urged the Court to adopt an objective reasonableness standard for warrantless entries into premises predicated on exigent circumstances. The brief stressed that officers need clear guidance and a uniform rule for training and operational purposes -- and for their safety when confronting dangerous offenders. Read the AELE brief. View the decision appealed from. In an 8-1 holding, the Justices reversed the Kentucky Supreme Court, writing: “Some courts, including the Kentucky Supreme Court, have imposed additional requirements... Such requirements are unsound and are thus rejected."

Won (2009)
Arizona v. Johnson.
No. 07-1122, 2009 U.S. Lexis 868, 129 S. Ct. 781
AELE, joined by national and state associations, asked the Supreme Court to overturn an Arizona decision that impairs officer safety during traffic stops. The lower court majority held that "when an officer initiates an investigative encounter with a passenger that was consensual and wholly unconnected to the original purpose of the routine traffic stop of the driver, that officer may not conduct a Terry frisk of the passenger without reasonable cause to believe 'criminal activity may be afoot.'" Click here to see the Arizona decision, and here to read our amicus brief. A unanimous U.S. Supreme Court has now reversed the Arizona decision, ruling that a lawful investigatory stop exists when it is lawful for officers to stop a vehicle and its occupants to inquire into a vehicular violation, that officers do not have to have reason to believe that an occupant is involved in a crime, but must have reasonable suspicion that the person to be frisked may be armed and dangerous. Click here to read the opinion.

Lost (2009)
Arizona v. Gant.
No. 07-542, 2009 U.S. Lexis 3120
AELE, joined by the IACP & NSA, asked the Supreme Court to overturn an Arizona ruling that had invalided the search of a vehicle because the driver had been handcuffed and placed in the rear of a patrol car. Click here to see the Arizona decision, and here to read our amicus brief. In a 5-to-4 holding, the Arizona decision was upheld. There was one concurring and two dissenting opinions. Click here to read the opinions.

Won (2006)
Samson v. California.
No. 04-9728, 2006 U.S. Lexis 4885
AELE, joined by the IACP and NSA, asked the Court to affirm the conviction of a parolee who was searched by a police officer. As condition of parole, California inmates agree to be subject to search by a parole or police officer at any time of the night or day, with or without a search warrant and with or without cause. View our amicus brief and the decision of the lower court. The U.S. Supreme Court, by a 6-to-3 majority, ruled that the Fourth Amendment does not bar an officer from carrying out a suspicionless search of a parolee. To read the Court's decision, click here.

Won (2006)
Brigham City v. Stuart.
No. 05-502, 2006 U.S. Lexis 4155, 126 S. Ct. 1943
AELE, joined by the IACP and NSA, asked the Court to rule that the Fourth Amendment does not prohibit law enforcement officers who witness an ongoing physical altercation in a home from entering the residence to prevent bodily harm, and that the amendment does not require officers to wait passively for violence to escalate

to a point at which severe harm might occur. View our amicus brief, the opinion of the Utah Supreme Court, and the unanimous U.S. Supreme Court decision.

Lost (2005)
Town of Castle Rock v. Gonzales
No. 04-278, 2005 U.S. Lexis 5214
AELE joined a brief of black and women police officers supporting a civil rights suit brought against the Town for the lack of police response to a mother's complaint that her estranged husband had the children, was in violation of a court order, and that harm might occur. We supported the IACP's Model Domestic Violence Policy and disagreed with the Town that they owed no legal duty to protect the children or to enforce the court order. View the amicus brief and the appendix, which contains the IACP Model Policy. The appellate court decision supported the mother's claim. The Supreme Court reversed, in a 7-to2 holding.

Won (2003)
United States of America v. Banks ←Landmark "knock-and-announce" decision.
No. 02-473, 124 S.Ct. 521, 2003 U.S. Lexis 896.
The question at issue is this case was "Did law enforcement officers executing warrant to search for illegal drugs violate Fourth Amendment and 18 U.S.C. § 3109, thereby requiring suppression of evidence, when they forcibly entered small apartment in middle of afternoon 15-20 seconds after knocking and announcing their presence?"

The U.S. Court of Appeals for the Ninth Circuit held, in a 2-1 vote, that officers armed with a search warrant for cocaine and drug paraphernalia violated the Fourth Amendment and the federal statute dealing with the execution of search warrants, 18 U.S.C. 3109 when they forcibly entered the apartment by breaking down the front door after waiting 15-20 seconds after having loudly knocked on the front door, announced their presence, and received no response.

- Read the text of the Ninth Circuit's decision. AELE argued that the officers, in executing a warrant to search for illegal drugs, did not violate the Fourth Amendment and 18 U.S.C. Sec. 3109, when they forcibly entered a small apartment in the middle of the afternoon, 15-20 seconds after knocking and announcing their presence.

- Read the text of our brief. The Court held that the officers' 15-to-20-second wait before forcible entry satisfied the Fourth Amendment, as well as the statute.

- Read the text of the Court's decision.

- View a photo of the small apartment where the warrant was served.

Won (2002)
United States of America v. Drayton
No. 01-631, 536 U.S. 194, 122 S. Ct. 2105, 2002 U.S. Lexis 4420.
The question at issue is this case was "Has officer who informs passenger on bus that officer is conducting drug and illegal weapons interdiction and asks passenger for consent to search, while another officer stays at front of bus without blocking exit, effected 'seizure' of that passenger within meaning of Fourth Amendment and Florida v. Bostick, 501 U.S. 429 (1991)?" The U.S. Court of Appeals for the Eleventh Circuit held that the defendants' consent was not sufficiently free of coercion to serve as a valid basis for a search. Read the text of the Eleventh Circuit's decision. AELE argued that a law enforcement officer who informs a passenger on a bus that the officer is conducting drug and illegal weapons interdiction and asks the passenger for consent to search, while another officer stays at the front of the bus without blocking the exit, has not effected a "seizure" of that passenger within the meaning of the Fourth Amendment and need not advise the passenger of his right to refuse consent. Read the text of our brief. The Court held that police officers who board a bus to ask passengers for permission to search their belongings do not have to inform them of their right to refuse permission. Read the text of the Court's decision.

Lost (2001)
Atwater v. City of Lago Vista
No. 99-1408, 532 U.S. 318, 121 S. Ct. 1536, 2001 U.S. Lexis 3366.
The question at issue is this case was "Does the Fourth Amendment limit the use of custodial arrests for fine-only traffic offenses?" The U.S. Court of Appeals for the Fifth Circuit held that a custodial arrest of a motorist for not wearing a seat belt did not violate the arrestee's Fourth Amendment rights because the officer had probable cause and the arrest was not conducted in an unreasonable manner. Read the text of the Fifth Circuit's decision. AELE argued that officers should be required to use a citation when they enforce petty offenses, including traffic offenses, unless there are circumstances which suggest that a custodial arrest is necessary. In a 5-4 ruling, the Court held that the Fourth Amendment does not forbid a warrantless arrest for a minor criminal offense, such as a misdemeanor seatbelt violation punishable only by a fine. Read the text of our brief. Read the text of the Court's decision.

Lost (2000)
City of Indianapolis, Indiana v. Edmond
No. 99-1030, 531 U.S. 32, 121 S. Ct. 447
At issue in this case was the constitutionality of an Indianapolis Indiana roadblock program under which motorists were stopped at a checkpoint in order to determine whether they were impaired and whether their driving documents were in order. One of the objectives of the checkpoints was to discover narcotics traffickers, which was done by walking a drug detection dog around a stopped car while the motorist's documents were being checked. The U.S. Court of Appeals for the Seventh Circuit ruled that the roadblock program violated the Fourth Amendment. Read the text ot the Seventh Circuit's decision. AELE argued that the Court should approve multipurpose roadblock programs similar to that utilized by the city in this case as permissible under the Fourth Amendment on the basis that precedents of the Court have established that one of the purposes of a constitutional roadblock can be enforcement of the criminal laws. AELE argued that the public interest in dealing with the serious problem of illegal drugs in our communities indicates the need for a multilevel approach to law enforcement efforts, and that road-block programs are an effective tool for dealing with the problem. Read the text of our brief. The Court split 6-3, to reject roadblocks as a drug-fighting technique. Read the text of the Court's decision.

Won (2000)
Duckworth v. French; United States of America v. French (retitled Miller v. French).
Nos. 99-224 & 99-582, 530 U.S. 327, 120 S. Ct. 2246
At issue in this case was the constitutionality of a federal statute, 18 U.S.C. Sec. 3626(e)(2) mandating an automatic stay of injunctive relief within specified deadlines in prison cases if no ruling has taken place on a motion to modify or terminate such injunction. The U.S. Court of Appeals found this provision of the Prison Litigation Reform Act unconstitutional as a violation of separation-of-powers. Read the text of the Seventh Circuit's decision. AELE argued that the Court should overturn the Seventh Circuit since this statute merely provides reasonable procedural deadlines for judicial action and does not interfere with the judicial process. Additionally, AELE argued that putting deadlines for acting on motions to terminate or modify existing injunctions against correctional authorities is essential to avoiding delay and ensuring that injunctions are actually needed to redress ongoing constitutional violations, as well as meeting other current legal requirements. Read the text of our brief. The U.S. Supreme Court adopted the position urged by AELE. Read the text of the Court's decision.

Lost (2000)
Dickerson v. United States of America
No. 99-5525, 530 U.S. 428, 120 S. Ct. 2326.
At issue in this case was the constitutionality of a federal statute, 18 U.S.C. Sec. 3501, providing that the test for admissibility of a confession in federal court is the voluntariness of the confession based on all of the circumstances, rather than exclusion merely for a violation of Miranda. Read the text of the U.S. Court of Appeals for the Fourth Circuit's opinion, upholding the constitutionality of the statute. AELE argued that the Court should affirm that the rule of *Miranda v. Arizona* is not a constitutional mandate and that voluntariness is the sole test for confession admissibility. We argued that 18 U.S.C. Sec. 3501 was a constitutional and

appropriate exclusionary rule reform, as well as carrying out the essential purpose of *Miranda* of ensuring voluntary confessions.. Read the text of our brief. The Court reversed the Fourth Circuit, reaffirming Miranda by a 7-2 vote, and holding that Miranda governs the admissibility of statements made during custodial interrogations in both state and federal courts. Read the text of the Court's decision.

Lost (2000)
Florida v. J.L., a Juvenile
No. 98-1993, 529 U.S. 266, 120 S. Ct. 1375.
AELE asked the Justices to reverse a Florida holding that an anonymous tip that a youth wearing a plaid shirt and standing with other young black males at a particular location was carrying a gun was insufficient to provide reasonable suspicion under Terry v. Ohio, 392 U.S. 1 (1968), and approving the suppression of a handgun found on the juvenile in a classic stop and frisk confrontation, in spite of the fact that an officer with more than fourteen years of experience who had arrived on the scene within six minutes of the anonymous tip had verified all the details of the tip. Read the text of the Florida Supreme Court's opinion. AELE argued that an anonymous tip stating that a person is carrying a concealed firearm at a specific location, containing a detailed description of the person and his attire is sufficiently reliable to justify an investigatory detention and frisk for weapons if the police immediately verify the accuracy of the tip. Read the text of our brief.. The Court held that an anonymous tip that a person of a particular description and at a specified location is carrying a firearm is not enough to justify a Terry stop and frisk by police officers. Read the text of the Court's decision.

Won (2000)
Illinois v. Wardlow
No. 98-1036, 528 U.S. 119, 120 S. Ct. 673.
AELE asked the Justices to reverse an Illinois holding which overturned the conviction of a man, who, in a high-crime area of Chicago, ran from a uniformed police officer. The person was later stopped and found to be carrying a loaded firearm. The Illinois supreme court said that there was an inadequate basis to chase and frisk a suspect; see that opinion at http://www.state.il.us/court/Opinions/SupremeCourt/1998/September/Opinions/HTML/83061.txt. AELE argued that flight from an officer, coupled with his presence in a high-crime area, was a legally sufficient reason to chase and frisk him. State appellate courts have disagreed on this issue. Read the text of our brief.. The Court held that the individual's flight at the sight of police provided reasonable suspicion for the officers to conduct an investigatory stop. Read the text of the Court's decision.

Won (1998)
Penn. Bd. of Probation & Parole v. Scott
524 U.S. 357, 118 S. Ct. 2014
We asked the Supreme Court to overturn a state ruling which restricted the power of parole officers to search persons who are conditionally released before their sentence is fully served. Read the text of our brief. The Court held that the Exclusionary Rule does not apply to parole revocation hearings. The Rule would apply to a subsequent criminal trial, for offenses committed while on parole, if police officers conduct an illegal search of a parolee's person or premises. Read the text of the Court's decision.

Issue not reached (1998)
Ricci v. Arlington Heights, IL
No. 97-501
AELE urged the Court to adopt the principles embodied in the Model Code for Pre-Arraignment, which provides for the issuance of a citation or notice to appear for petty offenses, but also allows an officer to make a custodial arrest in aggravated circumstances. On May 4, 1998, the Court dismissed the case, stating that review had been "improvidently granted."

Won (1998)
U.S. v. Ramirez
523 U.S. 65, 118 S.Ct. 992
We argued that the Fourth Amendment does not prohibit officers from breaking a window to distract the occupants of a home when they entered in search of an armed and dangerous fugitive. Read the text of our brief.

Won (1997)
Richards v. Wisconsin
520 U.S. 385, 117 S.Ct. 1416
Although we would not support a "blanket exception" to the "knock and announce" rule, we argued that officers were justified in making a no-knock entry in this case.

Won (1997)
Maryland v. Wilson
519 U.S. 408, 117 S.Ct. 882
AELE urged the justices to allow police officers to order a passenger in a vehicle that has been lawfully stopped, to get out of the car (or remain in it), for reasons of officer safety.

Won (1996)
Ohio v. Robinette
519 U.S. 33; 117 S.Ct. 417
An officer is not required, after a traffic stop, to "warn" a motorist that he is free to go on, and may ask for consent to search his vehicle.

Won (1996)
U.S. v. Ursery
518 U. S. 267, 116 S.Ct. 2135
AELE argued that civil forfeiture provisions instituted against a person prosecuted for drug offenses do not constitute "double jeopardy."

Won (1996)
Ornelas, v. U.S.
517 U.S. 69, 116 S.Ct. 1657
AELE argued that a police officer may draw inferences from his experience and training to build a platform of probable cause, upon which a search may be justified.

Won (1995)
Wilson v. Arkansas
514 U.S. 927
AELE urged the Court to recognize the importance of exceptions to the ``knock and announce'' rules on serving search warrants, in the case where officers have probably cause to believe evidence will be destroyed or their lives may be endangered.

Won (1995)
Arizona v. Evans
514 U.S. 1, 115 S.Ct. 1185
We argued that the exclusionary rule should not require suppression of evidence obtained by an arrest based on clerical errors of court employees.

Won (1994)
Davis v. U.S.
512 U.S. 452
AELE argued that a comment, "Maybe I should talk to a lawyer," did not bar further consensual questioning.

Won (1994)
Stansbury v. California
511 U.S. 31
AELE argued that Miranda did not apply to a person interviewed as a witness to a murder.

Won (1993)
Minnesota v. Dickerson
508 U.S. 366; 113 S.Ct. 2130
AELE argued for judicial recognition of the "plain feel" doctrine, where an officer uses a sense of touch during a lawful pat down procedure.

N/A (1993)
U.S. v. Green
507 U.S. 680; 113 S.Ct. 1835
Defendant was fatally shot before the court reached a decision.

Lost (1993)
Withrow v. Williams
507 U.S. 680; 113 S.Ct. 1745
AELE argued against federal habeas corpus procedures to challenge a conviction in state court, where the defendant would be allowed, for a second time, to challenge the admissibility of his confession.

Won (1992)
Farrar v. Hobby
506 U.S. 103; 113 S.Ct. 566
We argued that civil rights plaintiff, who only wins nominal damages, is not entitled to attorney's fees.

Won (1992)
Jacobson v. U.S.
503 U.S. 540; 112 S.Ct. 1535
AELE argued that law enforcement officers do not need a "particularized suspicion" to initiate a covert investigation. However, majority of Justices found entrapment.

Won (1992)
Hudson v. McMillian
503 U.S. 1; 112 S.Ct. 995
Should a peace officer be liable under the Civil Rights Act for physically beating prisoner to punish him? AELE argued that civil liability is deterrence and distinguished force used to overcome resistance.

Won (1991)
McNeil v. Wisconsin
501 U.S. 171; 111 S.Ct. 2204
Does a defendant's acceptance of assigned counsel invoke his 5th Amendment rights and preclude his interrogation for an unrelated, uncharged offense?

Lost (1991)
Florida v. Bostick
501 U.S. 429; 111 S.Ct. 2382
Can police board interstate buses, ask for passenger ID, and seek permission to search the contents of their baggage? AELE argued the procedure was illegal, and suggested a standard. Read the text of our brief.

Lost (1991)
Arizona v. Fulminante
499 U.S. 279; 111 S.Ct. 1246
AELE argued, a confession to a fellow inmate was not "coerced" because the informant promised to keep him safe from attacks by other inmates.

Won (1990)
Alabama v. White
496 U.S. 325; 110 S.Ct. 2412

Police may lawfully detain a person suspected of drug trafficking, if their only information is an anonymous tip, when corroborated by the suspect's behavior.

Won (1990)
Illinois v. Rodriguez
497 U.S. 177. 110 S. Ct. 2793
Officers lawfully seized evidence in a home they were admitted into by a person that they mistakenly thought was authorized to consent to their entry and search.

Won (1990)
Horton v. California
496 U.S. 128; 110 S.Ct. 2301
Although officers knew that items existed at the time a search warrant was obtained, but did not list them in the warrant, they still could be seized if in "plain view" at the time the warrant was executed.

Won (1990)
Illinois v. Perkins
496 U.S. 292; 110 S.Ct. 2394
A confession to an undercover agent placed in an inmate's cell was admissible. Miranda warnings were not required.

Won (1990)
Maryland v. Buie
494 U.S. 325; 110 S.Ct. 1093
Police can inspect all rooms and the basement of the defendant's home when they placed him under arrest. They can open all doors to places where a potential ambusher might hide.

Won (1990)
New York v. Harris
495 U.S. 14; 110 S.Ct. 1640
Although police should have obtained an arrest warrant before arresting the defendant at his home, a confession obtained after Miranda rights were waived was admissible.

Lost (1988)
Arizona v. Roberson
486 U.S. 675; 108 S.Ct. 2093
Detective interviewed a pretrial detainee, about an unrelated crime, unaware that he had asked for legal counsel for the offense he was detained. Court ruled the second interview violated Edwards v. Arizona.

Won (1988)
Paterson v. Illinois
487 U.S. 285; 108 S.Ct. 2389
Police could question a post-indicted murder suspect, after he waived his right to counsel following the Miranda warnings.

Won (1988)
Michigan v. Chesternut
486 U.S. 567; 108 S.Ct. 1975
Pedestrian, who ran when he observed police, and discarded drugs while running, was not "seized" by police merely because they followed him.

Won (1988)
California v. Greenwood
486 U.S. 35; 108 S.Ct. 1625

Occupants of a home do not retain an expectation of privacy for garbage bags placed outside their home for collection.

N/A (1987)
California v. Rooney
483 U.S. 307; 107 S.Ct. 2852
Legality of a warrantless search of defendant's trash bin. Appeal dismissed; issue not reached.

Lost (1987)
Rankin v. McPherson
483 U.S. 379; 107 S.Ct. 2891
Could county fire a law enforcement officer who publicly expressed a desire to see the President assassinated?

Won (1987)
Colorado v. Spring
479 U.S. 564; 107 S.Ct. 851
Did a murder suspect have to be warned about the subject matter of the proposed questioning? Suspect was in custody on unrelated charges.

Won (1986)
Murray v. Carrier
477 U.S. 478; 106 S.Ct. 2639
Involved technical issues in a habeas corpus petition.

Won (1987)
Town of Newton v. Rumery
480 U.S. 386; 107 S.Ct. 1187
AELE argued that arrestee, who was represented by counsel, could waive any right to sue for false arrest in return for dismissal of pending charges.

Lost (1987)
Arizona v. Hicks
480 U.S. 321; 107 S.Ct. 1149
When officers are lawfully in an apartment and observe goods they reasonably suspect are stolen (in an unrelated case), may they examine the serial numbers, without a warrant?

Won (1987)
Maryland v. Garrison
480 U.S. 79; 107 S.Ct. 1013
Involved a converted residence and confusion of apartment numbers. AELE raised a good faith exception.

Won (1987)
Illinois v. Krull80 U.S. 340; 197 S.Ct. 1160
Were items seized in a police search admissible when the law later changes, invalidating the grounds or method for the search?

Won (1986)
Colorado v. Connelly
479 U.S. 157; 107 S.Ct. 515
Admissibility of a confession; defendant walked up to an officer and told him he killed a 14-year old. Defendant was mentally unbalanced.

Lost (1986)
Smalis v. Pennsylvania
476 U.S. 140; 106 S.Ct. 1745

Whether prosecution can appeal an adverse ruling of law in a criminal trial. Brief argued the appeal was not double jeopardy.

Lost (1986)
City of Riverside v. Rivera
477 U.S. 561; 106 S.Ct. 2686
AELE argued that attorney's fees awarded a successful civil rights plaintiff should be proportional to the amount of recovery, and not to time spent by his counsel.

Won (1986)
Davidson v. Cannon
474 U.S. 344; 106 S.Ct. 668
AELE argued that simple negligence suits are not civil rights violations and belong in state court.

Won (1986)
California v. Ciraolo
476 U.S 207; 106 S.Ct. 1809
Case upheld aerial surveillance of drug crops; no expectation of privacy.

Lost (1986)
Malley v. Briggs
475 U.S. 335; 106 S.Ct. 1092
AELE argued an arrest warrant obtained from a judge, shields the officer who sought warrant from false arrest suit.

Won (1986)
Moran v. Burbine
475 U.S. 412; 106 S.Ct. 1135
Officers in another police agency could question inmate about unrelated crime, even though suspect was represented by Public Defender in another case.

Won (1986)
New York v. Class
475 U.S. 106; 106 S.Ct. 960
Police observation of a vehicle ID number was not a search; weapon found while getting number admissible.

N/A (1985)
Oklahoma v. Castleberry
469 U.S. 979; 105 S.Ct. 379
Case involved the container exception to warrantless search of vehicles rule. Court split 4-to-4; no opinion issued.

Won (1985)
Oregon v. Elstad
470 U.S. 298; 105 S.Ct. 1285
A confession obtained after "Miranda" warning, was not invalidated by earlier interrogation in violation of "Miranda."

Lost (1984)
Rhode Island v. Von Bülow
469 U.S 875; 105 S.Ct. 233 (See 475 A. 2d 995)
AELE asked court to hear the case, which invalidated a warrantless testing of insulin; involves good faith and "independent" state grounds. Review denied.

Won (1984)
California v. Trombetta
467 U.S. 479; 104 S.Ct. 2528
Police not required to preserve breath sample of suspected drunk driver.

N/A (1984)
Waller v. Georgia
Cole v. Georgia
467 U.S. 39; 104 S.Ct. 2210
Challenge to statute allowing officers to seize items believed subject to forfeiture or of evidentiary value; case resolved on another issue we did not brief.

Won (1984)
Nix v. Williams
467 U.S. 431; 104 S.Ct. 2501
See Brewer v. Williams, No. 19 below; appeal of second conviction. If incriminating statements were elicited in bad faith, will the doctrine of "inevitable discovery" apply? Conviction upheld.

N/A (1984)
Colorado v. Quintero
464 U.S. 1014; 104 S.Ct. 543
Good faith exception; Quintero died before case could be argued; case dismissed.

Won (1984)
Massachusetts v. Sheppard
468 U.S. 981; 104 S.Ct. 3424
Good faith exception; search warrant for evidence in murder investigation mistakenly stated police were looking for narcotics.

Won (1984)
U.S. v. Leon
468 U.S. 897; 104 S.Ct. 3405
Good faith exception; narcotics search warrant suppressed because informant did not have established credibility and reliability.

Won (1984)
U.S. v Jacobsen
466 U.S. 109; 104 S.Ct. 1652
Field test of suspicious powder is not a "search" requiring the procurement of a warrant.

Won (1984)
Oliver v. U.S.
466 U.S. 170; 104 S.Ct. 1735
Whether constraints on the "open fields" doctrine should hinder warrantless aerial surveillance.

Won (1984)
Minnesota v. Murphy
465 U.S. 420; 104 S.Ct. 1136
Should "Miranda" apply to interview of probationer by probation officer; should confession to a prior murder be admissible?

Won (1983)
Illinois v. Gates (II)
462 U.S. 213; 103 S.Ct. 2317 [See Illinois v. Gates (I) below]
Whether informant provided sufficient grounds to obtain search warrant used in major drug arrest.

Won (1983)
Michigan v. Long
463 U.S. 1032; 103 S.Ct. 3469
Whether an officer can "frisk" the armrest of a vehicle belonging to a detained traffic violator.

Won (1983)
Illinois v. Lafayette
462 U.S 640; 103 S.Ct. 2605
Legality of an inventory search of the contents of a handbag on arrestee's person at time of jail booking.

Lost (1983)
Harling v. Prosise
462 U.S. 306; 103 S.Ct. 2368
AELE argued that a guilty plea bars a civil suit against law officers for allegedly illegal search and seizure.

Won (1983)
U.S. v. Place
462 U.S. 696; 103 S.Ct. 2637
AELE argued the propriety of the detention of drug courier's luggage at airport for inspection by narcotics-sniffing dog.

Won (1983)
City of L.A. v. Lyons
461 U.S. 95; 103 S.Ct. 1660
Whether federal courts can enjoin police training techniques because several persons died under "choke hold" method of restraint.

Lost (1983)
Kolender v. Lawson
461 U.S. 352; 103 S.Ct. 1855
Asked the Court to extend "stop and frisk" rule to require suspect to furnish identification when public safety requires.

Won (1983)
Illinois v. Gates (I)
459 U.S. 1028; 103 S.Ct. 436 [See Illinois v. Gates (II) above]
AELE asked the court to consider a "Good Faith" exception to the Exclusionary Rule.

Won (1983)
Florida v. Royer
460 U.S. 491; 103 S.Ct. 1319
Legality of the use of drug courier profiles to create a reasonable suspicion of criminal activity.

Won (1982)
Patsy v. Board of Regents
457 U.S. 496; 102 S.Ct. 2557
Held that an inmate who files a civil rights suit against prison authorities must first exhaust certain administrative remedies. See 102 S.Ct. at p. 2564 (Part B)

Won - Granted (1982)
City of L.A. v. Lyons
455 U.S 937; 102 S.Ct. 1426 (See No. 44 above)
Asked the court to grant review of a Ninth Circuit injunction. See prior opinions at 656 F. 2d 417 and 615 F. 2d 1243.

Lost (1982)
Taylor v. Alabama
457 U.S 687; 102 S.Ct. 2664
Warrantless arrest for fingerprinting without probable cause. Should the Exclusionary rule apply?

Won (1982)
U.S. v. Ross
456 U.S. 798; 102 S.Ct. 2157
Warrantless search of paper bag in auto-expectation of privacy issue, re-examination of Robbins doctrine.

Won (1982)
Washington v. Chrisman
455 U.S 1; 102 S.Ct. 812
Right of officer to accompany detained person; right to seize contraband observed in plain view. Prior decision at 619 P. 2d 971.

Won (1981)
Parratt v. Taylor
451 U.S. 527; 101 S.Ct. 1908
State prisoner sought to collect small lost property claim in federal courts.

Won (1980)
Allen v. McCurry
449 U.S. 90; 101 S.Ct. 411
Convicted state inmate sought to relitigate search and seizure claims in federal civil rights action.

Won (1980)
U.S. v. Mendenhall
446 U.S. 544; 100 S.Ct. 1870
AELE supported the use of "drug courier profile" to establish grounds for the detention and search of suspected narcotics traffickers found in public places.

Lost (1980)
Martinez v. California
444 U.S. 277; 100 S.Ct. 553
AELE urged court to recognize the right of the parents of a murdered girl to sue the state for the wrongful release of an offender.

Won (1980)
U.S. v. Crews
445 U.S. 463; 100 S.Ct. 1244
AELE argued that it was reasonable for police officers to detain, transport, photograph and release a rape suspect. If the procedure was illegal, the victim's in-court identification of the suspect was not "tainted" by police misconduct.

Lost (1979)
Ybarra v. Illinois
444 U.S. 85; 100 S.Ct. 338
AELE argued the constitutionality of a law, which authorized officers, possessing a search warrant, to search persons on raided premises for weapons or concealed evidence.

Won (1979)
North Carolina v. Butler
441 U.S. 369; 99 S.Ct. 1755

A suspect may waive his “Miranda” rights to counsel by responsiveness to questioning; an explicit waiver is not necessary.

Won (1979)
Fare v. Michael C.
442 U.S. 707; 99 S.Ct. 2560
Court reversed California ruling that a juvenile’s request to see his probation officer invoked his privilege against self-incrimination.

Won (1979)
Michigan v. DeFillippo
443 U.S. 31; 99 S.Ct. 2627
Upheld the detention and questioning of a person found under suspicious circumstances; suspect falsely asserted he was a police officer.

Lost (1979)
Delaware v. Prouse
440 U.S. 648; 99 S.Ct. 1391
AELE argued that the need to prevent the proliferation of unlicensed drivers and stolen cars justified random vehicle checks by police.

Lost (1979)
Arkansas v. Sanders
442 U.S. 753; 99 S.Ct. 2586
AELE argued that police could make a warrantless search of luggage taken from an airport taxi, where probable cause existed to believe it contained contraband.

Won (1978)
Rakas v. Illinois
439 U.S. 128; 99 S.Ct. 421
Held that passengers in an auto do not have a reasonable expectation of privacy over a police search of the glove box or area under seats.

Won (1978)
Zurcher v. Stanford Daily News
436 U.S. 547; 98 S.Ct. 1970
A search warrant for evidence may be served upon third parties in possession although such parties are not themselves suspected of wrongdoing. Plaintiff was a college newspaper.

Lost (1977)
Harry Roberts v. Louisiana
431 U.S. 633; 97 S.Ct. 1993
In a 5-to-4 decision, the court set aside the Louisiana death penalty statute. AELE argued that the law was constitutional.

Lost (1977)
U.S. v. Chadwick
433 U.S. 1; 97 S.Ct. 2476
Supreme Court ruled that a footlocker, unlike a vehicle, could be seized and held while police officers obtain a search warrant. A warrant must be first obtained to make a lawful search of the contents, even though the locker is already in police custody.

Lost (1977)
Brewer v. Williams
430 U.S. 387; 97 S.Ct. 1232

Suspect had been arrested for murder, given Miranda warnings and claimed his right to an attorney. During auto trip for arraignment, officer commented that the victim's parents ought to learn where the body was buried. Without having been questioned, subject led police to the body. AELE argued that this was voluntary admission and that comments by officer were not unlawful "interrogation."

Won (1976)
Wolff v. Rice
428 U.S. 465; 96 S.Ct. 3037
Ruled that a state prisoner who fully but unsuccessfully litigated a search and seizure issue in his criminal trial (or who had ample opportunity to do so) could not collaterally attack the admissibility of evidence seized by a habeas corpus action filed in Federal Court.

Won (1976)
South Dakota v. Opperman
428 U.S. 364; 96 S.Ct. 3092
AELE argued that evidence discovered during warrantless inventory of contents of glove box of legally impounded car should be admitted.

Won (1976)
U.S. v. Santana
427 U.S. 38; 96 S.Ct. 2406
Held that exigent circumstances permitted warrantless arrest of suspect who had just sold quantity of narcotics even though she fled into vestibule of her house on approach of police.

Won (1976)
Paul v. Davis
424 U.S. 693; 96 S.Ct. 1155
Publication by the police of a photo and description of an individual as an "active shoplifter" which was distributed only to local merchants and security officers, was not a violation of "due process" even though the individual was arrested but not convicted of shoplifting.

Won (1975)
Michigan v. Mosley
423 U.S. 96; 96 S.Ct. 321
A confession to a crime, obtained by a second interview was lawful, even though the suspect had earlier claimed the right to attorney to another officer.

Lost (1975)
U.S. v. Hale
422 U.S. 171; 95 S.Ct. 2133
AELE argued that prosecution should be allowed to attack the credibility of defendant who gave exculpatory evidence at trial, by introducing evidence that he had remained silent after "Miranda" warnings.

Won (1974)
Michigan v. Tucker
417 U.S. 433; 93 S.Ct. 2357
Modified the inflexible and rigid interpretation of the requirements applied to the litany of "Miranda" warnings. Supreme Court held that third party derivative evidence could be admitted though police learned of it from defendant who had received only partial "Miranda" warnings.

Won (1974)
U.S. v. Edwards
415 U.S. 800; 94 S.Ct. 1234
Reversed a lower court ruling that held that it was illegal for the police to take, without a warrant, the clothes of a burglary suspect for scientific examination 120 hours after the suspect had been lawfully arrested.

Won (1973)
U.S. v. Robinson
414 U.S. 218; 94 S.Ct. 467
Police, for own safety, are permitted to make full search of persons arrested and in custody for traffic offenses.

Won (1973)
Cupp v. Murphy
412 U.S. 291; 93 S.Ct. 2000
Held that police officers acted properly taking fingernail scrapings from a murder suspect and that no search warrant was necessary because the suspect could have quickly and easily disposed of such evidence.

Won (1973)
Schneckloth v. Bustamonte
412 U.S. 218; 93 S.Ct. 2041
Held that a warrantless search of a car stopped for a traffic offense was valid when consent was granted, even though officer did not advise occupant of right to refuse search. Four justices also joined in concurring opinions supporting AELE habeas corpus argument.

Lost (1972)
Healy v. James
408 U.S. 169; 92 S.Ct. 2338
AELE argued that a college president acted properly to protect his school and the rights of law-abiding students by barring SDS from campus.

Lost (1972)
U.S. v. Egan
408 U.S. 41; 92 S.Ct. 2357
AELE argued that grand jury witnesses should not be permitted to refuse to testify on basis of unsupported wiretap allegation.

Issue not reached (1972)
California v. Krivda
409 U.S. 33; 93 S.Ct. 32
AELE argued that police could search without a warrant, trash that had been picked up by sanitation truck. Supreme Court avoided deciding the issue and remanded to state court for clarification.

Won (1972)
Adams v. Williams
407 U.S. 143; 92 S.Ct. 1921
Ruled that a police officer that receives information that a suspect in a high crime area is armed may stop and frisk the suspect for weapons. This ruling broadened the power of police officers to cope with street crimes, particularly those involving weapons.

Won (1972)
Zicarelli v. State Investigation Cmsn.
406 U.S. 472; 92 S.Ct. 1670
Strengthened the prosecution's position by ruling that the Fifth Amendment did not require immunity of witnesses from prosecution for more than the particular matters testified to.

Won (1971)
U.S. v. Harris
403 U.S. 573; 91 S.Ct. 2075
Stopped lower courts from freeing criminals based on technical standards for the review of search warrants.

Won (1971)
Hill v. California
401 U.S. 797; 91 S.Ct. 1106
Refused to further restrict searches incidental to arrest.

Won (1968)
Terry v. Ohio
392 U.S. 1; 88 S.Ct. 1868
The police were given the right to stop and “frisk”, for their protection, persons reasonably suspected of engaging in criminal activity.

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