



Search and seizure

In this paper I will discuss a homicide scenario that involves a widow Mary Ellis and her son William Ellis and neighbor Clyde Williams. I will discuss how the 4th Amendment relates to the story and several court cases. This paper will also include what is needed for police to obtain a warrant and what circumstances will allow law enforcement to enter a residential home. I also plan to discuss what the meaning of the exclusionary rule and fruit of the poisonous tree doctrine. This paper will discuss the scenario of Mary Ellis and her Son William.

I will discuss the 4th amendment rights and the exclusionary rule of the evidence as it applies to Mary and Williams's story. I will also discuss several different cases involving the exclusionary rule and the fruit of poisonous tree. On Saturday morning Mary Ellis, a widow who lives with her adult son William Ellis, went to open her walk-in closet and found her neighbor Clyde Stevens lying on the floor and unresponsive. Mrs. Ellis called 911 and upon their arrival Mr. Stevens was pronounced dead from a stab wound. The stab wound was caused by a large butcher knife that was protruding from his back. Mrs.

Ellis was taken to the hospital for observation because she was distraught. The 4th Amendment of the U. S. Constitution states the rights of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. (FindLaw, 2014) Even though the 4th Amendment states no warrants shall be issued without probable cause law enforcement can search you home without one.

For example, if an adult is home and he or she has control over the property and gives an officer permission to search no warrant is needed, if the police is called to a resident's home and an arrest is made no warrant for search is needed, if an officer is in your home and the items are in plain view no search warrant is needed. A search warrant is an order signed by a judge that allows law enforcement to look in specific places or specific items at a certain time. An officer would only need to show probable cause meaning there are facts or evidence that lead a reasonable

person to believe that a suspect has committed a crime and that could be something as small as the smell of drugs. In the case of the Mary and William Ellis their 4th Amendment rights have not been violated. Mary called 911 and along with paramedics the police was given permission to enter the home. After entering the home it was determined that there had been a homicide due to the butcher knife planted in Mr. Stevens back in plain view. It was apparent to law enforcement that a crime had taken place and Ms.

Ellis's adult son William was not in the home at the time of their arrival which co

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L Darling-Hammond



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