

**Task:** Write a case study

**Topic:** Criminal Justice

**Type:** Case Study

**Length:** 1 page

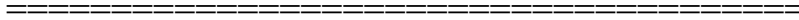
**Formatting:** MLA

**Requirements:** Fully discuss the following on separate paper, citing relevant Supreme Court cases which support your answer.

**Case study:** 1. Late one evening in July, Officer James Brown was on routine patrol in the section of town known as the warehouse district. He had been advised by his sergeant to keep an eye out because several recent burglaries had been reported in the area. As he approached the lot of Crazy Eddie's Electronics warehouse, he noticed a rusty, white, 1998 Ford Econoline Van with damage to the front driver's side fender and hood. He drove up behind the van in order to get a better look at the license plate and noticed that the plate had what appeared to be blue paint overspray in one corner. Suspecting that the plate might belong to another vehicle, Brown called in the tag's number to see if the van had been reported stolen. Before he heard back from the dispatcher, he noticed a white male wearing a long trench coat. The man was walking up and down the alley looking at the latches to the dock doors. The overhead lights in that area of the building, which usually brightly lit the alley, were out. Brown began to exit his car when the man in the alley, noticing the police cruiser, he quickly turned and hurried down the alley towards the next street. Officer Brown jumped back into his car, called for backup and drove around the building, cutting off the man in the long coat just as he was about to exit the alley. Brown asked the man to stop and identify himself. He stopped but did not reply, so Brown instructed him to raise his hands and turn around. The man complied as the policeman approached and patted him down on the outside of the trench coat. He felt something that seemed to be a rifle

underneath the coat, so he told the man to lie down so he could investigate further. The object he thought was a rifle turned out to be a crowbar, but a more thorough search revealed that the man had a semi-automatic pistol tucked into his waist band and an ounce of marijuana in a pants pocket which Brown had felt as he continued the pat down. He also found the man's wallet that contained his driver's license and a Dept. of Corrections identification card revealing him to be Patrick Murphy. Mr. Murphy had been paroled six weeks earlier from the prison sentences he was serving for aggravated assault, burglary and theft. Murphy was arrested and charged with possession of marijuana for purposes of resale, possession of a handgun by a convicted felon and a parole violation. His attorney later files a motion asking for the suppression of the handgun and marijuana, claiming that the search of his client and seizure of the gun and marijuana was unconstitutional. Should the evidence be suppressed? 2. Responding to the call to backup Officer Brown, Patrolman Barry White arrived on the scene just as Brown was stopping Murphy and saw the old Ford van as it pulled off. The dispatcher had advised him that the plates on the van had been stolen from another vehicle. White stopped the van and questioned the driver, who turned out to be Bobby McGee, a member of the infamous Shamrocks, a local Irish gang known for their extensive network of drug dealers, fences of stolen goods and suppliers of weapons to the criminal underworld. Officer White was advised to place McGee under arrest immediately, because there was an outstanding parole violation warrant that would send him back to prison for 20 years. Knowing he was toast, McGee quickly approached the police about a deal. He claimed that he could lead them to a building that housed hundreds of thousands of dollars worth of weapons, stolen property and possibly drugs. In addition the building was occupied by the Shamrock's notorious leader, Michael McCavity, a master criminal they had been trying to build a case on for years. The police had previously gathered much evidence linking him to numerous crimes including several murders, but they had never collected quite enough to bring charges against the gang leader. Although McGee had never given the police information before, he claimed that the he had been inside the building within the last three days and had seen the contraband himself. A detective prepared an affidavit based upon the hearsay information given them by McGee and used it to obtain a search warrant for the building. Just as McGee had said, they found a

cache of guns, drugs and stolen property, even weapons linking Macavity to some of the murders. He was arrested and taken in. On the way to the jail, Macavity swore that he knew who had snitched and that the only good rat is a dead rat. He refused to make any other statements. a. At the bond hearing, the state asked that MaCavity be denied bail. Should the judge grant that request? Why? b. Macavity's lawyer later moved to have all of the evidence seized at the building excluded because the search warrant was invalid. At the hearing, he produced evidence proving that the contraband was only shipped to the building in unmarked crates the day before the police served the search warrant. He further claimed, of course, that his client had no idea what the crates contained until the police opened them. Should the motion to suppress be granted? Why?



Criminal Justice

Student's name

Name of institution

**Should the judge grant that request? Why?**

Yes, States security depends on how secure her citizens are. First, MaCavity is a suspect of drug trafficking, robbery with violence and arms dealer making him a threat to homeland security.. In the case *De Veau v. Braisted*, [363 U.S. 144, 155](#) (1960) in denying the defendant bail the court ruled that the state had a compelling interest in preventing crime by the arrestee. If realized on bail there is fear that he may commit more crimes.

MaCavity is a dangerous criminal and a drug dealer and very powerful in the crime world. Drug dealers are at the heart of money laundry, where they accumulate a lot of wealth, power and influence, if released on bail, he is likely to interfere with the witness and investigations. In reference to *Cf. Carbo v. United States*, 82 S.Ct. 662, 7 L.Ed.2d 769 (1962), the bail was denied when it was found that the accused would interfere with the witness.

**Should the motion to suppress be granted? Why?**

No, the evidence is admissible and the search warrant is valid. Moreover In reference to *Jones v. United States*, 362 U.S. 257 (1960), the court ruled that a search warrant may be properly issued on the basis of hearsay. Thus the search warrant was validly issued. Moreover, referring to *Campbell v. Minnesota*, 487

F.2d 1 (8th Cir. 1973). The warrant was validly issued as the Supreme Court ruled that a warrant can be issued upon reliance of oral testimony, which on this case was the testimony was given by McGee. Thus the search warrant was valid and the evidence should not be excluded.

### **Overall Impression**

Dude, even if your entire paper is just an answer (or several answers) to a question, it does not mean that you can ignore such an important thing as a paper's structure. Where is the god damn introduction? Supposedly, there is no question specified in the header: how the hell do I know what you are talking about? You should have at least briefly described the overall situation: who this McCavity was, what he was accused of, and so on. Simply answering a question is elementary-school-level writing; if I haven't read the paper's details, I would never have guessed what your paper is about. Every time you write an answer to a question, imagine that it will be read by someone who is completely out of the context; providing this context to such a reader is one of your tasks. So, a basic intro – as well as a conclusion – are a must, even in assignments like this one.

Next: what's wrong with your English? Even if it is your second language, some of the mistakes you made are childish, and could have been avoided easily. Like, what is this “interfear” word? Some kind of phobia transferred from one person to another? This is just the tip of the iceberg; double periods, strange typos, broken sentences (like this one: “Moreover, referring to Campbell v. Minnesota, 487 F.2d 1 (8th Cir. 1973). The warrant was validly [...]),” and a ridiculous confusion of noun genders (“States security depends on how secure her citizens are”).

**Overall Impression:**

In summary, it's not as bad as I thought it would be, but not good either. You gotta work on your writing skills harder, and perhaps take extra classes on the English language.