

**Class 18: Exclusionary Rule And Leon**

Admin

Next Time: 464-86

A little bit on the exam

- First day of finals
- Probably no pure "policy" questions
- But policy in each question
- So, 2-3 issue spotters
- I'll try to find some good sample Q's from colleagues

Last Time

Bailment

Rawlings

- Officers with warrant.
- One asks Cox to empty her purse. Jar with 1800 tablets of LSD.
- Cox to Rawlings: "take what is yours" ✓ He claimed ownership.
- Relationship facts
  - R had known C for a few days
  - C knew that R had dumped drugs in her purse
- Held ✓ No standing

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Exclusionary Rule

Mapp But the fact of Mapp are interesting

Police sought to question a person hiding in the home in connection with a recent bombing.  
Bombling of Don King's house -- "alleged numbers racketeer"  
Ms. Mapp refused to admit police without a warrant  
Three hours later, forced door open.  
Ms. Mapp snatched the "warrant" and "placed it on her bosom"  
Grabbed, paper recovered.  
Twisted her hand, cuffed her.  
Searched her entire apartment  
Crime charged was for obscene sketches she had drawn.

Is the exclusionary rule constitutional or prudential? Repeated language in Mapp suggests Const. mandated

If we have it, should be premised only on a cost-benefits balancing?

What about the balancing? How does the Deterrence rationale balance out?

Leon

Facts

Facially valid warrant issued by State Superior Judge led to evidence  
District Court held: No PC and suppressed  
Govt didn't appeal the "No PC" ruling

Held

Good-faith exception to Exclusionary Rule

Reasoning

Other Fact Patterns