U.S. Supreme Court Rule on Warrantless Searches of Offenders

Name

Affiliation

Date

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According to the fourth amendment of the constitution of the United States of America, the warrantless searches of the citizens are not allowed, because it is the invasion of their privacy. The amendment also states that the concerned authorities cannot search the house, property and papers of the people without warrants and in case of having the warrant, it should clearly state the reason for suspicion. On the other hand, the probable cause can invalidate the situation, in the way that it would grant the right of search and seizure to the authorities. The probable cause can be proof of involvement of the individual in any criminal or suspicious activity.

On the other hand, in the case of the offenders under parole or probation supervision, they are proved to be guilty or suspicious, due to which they lose some of their basic rights, granted to them by the constitution of the United States of America. So, the United States Supreme Court has ruled in favor of warrantless searches of offenders under parole or probation supervision. According to the authorities, the offenders under parole or probation supervision do not have the right of warranted search because of their previous code of conduct. The authorities have the right to conduct a warrantless search and seizure because the offenders under parole can get rid of the proof or mitigate the situation if the concerned authorities take their time of getting the warrants. So they can act on the scene and utilize their right of warrantless search and seizure in order to keep the peace and order of the society (Turner, Hemmens, & Matz, 2016).

Warrantless search and seizure of any individual is prohibited according to the fourth amendment of the constitution of the United States of America. However, the U.S. Supreme Court has ruled on warrantless searches of offenders under parole or probation supervision. The reason behind it is the previous record of the offenders, which culminates some of their basic rights, in order to protect the peace and order of the society, by taking immediate action.

Reference

Turner, J. R., Hemmens, C., & Matz, A. K. (2016). Is it reasonable? A legal review of warrantless searches of probationers and parolees. *Criminal justice policy review*, *27*(7), 684-701.