Case Brief #3

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# CASE

**United States v. Robinson, 414 U.S. 218 (1973)**

**Petitioner**: Robinson

**Respondent**: United States

**Presented to**: United States Supreme Court

# FACTS

A police officer from the state of Washington stopped a 1965 modeled Cadillac on the pretext of a revoked license. The officer previously had the information about the license revoking. All the three passengers sitting in the car exited right after the officer stopped them. The police officer took the driver Robinson in his custody. (In order to maintain an opinion for presenting in front of the court it was considered that Robinsons’ arrest was valid). After taking into custody, the officer performed a thorough search of Robinson and felt a package which he was not able to identify right at the moment (LaFave 1974). Upon opening the package, which was a crumpled cigarette packet, the officer found fourteen capsules filled with white powder, which was later identified as heroin.

# ISSUE

The issue involved in this case as did the officer's search of Robinson was a violation of the fourth amendment?

# HOLDING

The court held that "in the cases of lawful custodial detention a complete search of a person under custody is an exception in the warrant requirement of the fourth amendment, and is also a viable search under the same amendment."

# RATIONALE

It is well practiced that the search incident in a lawful arrest is a customary exception to the warrant requirement under the fourth amendment of the United States constitution. This customary exception was settled in two different propositions. The first pertains to the search of the person in accordance with the lawful arrest (Brennan Jr 1976). The second proposition pertains that the search can be done of the area under control by the arrested person. The court decision shows that it has interpreted these two propositions quite differently. The search of a person at first instance is interpreted as settled by the law, whereas the second is interpreted as a settled principle. The extent of the area under control by the arrested person, in this case, is subjected to interpretation by law.

# REFERENCES

Brennan Jr, William J. 1976. “State Constitutions and the Protection of Individual Rights.” *Harv. L. Rev.* 90: 489.

LaFave, Wayne R. 1974. “‘ Case-by-Case Adjudication’ versus" Standardized Procedures": The Robinson Dilemma.” *The Supreme Court Review* 1974: 127–163.