Legal basis for the Exclusionary Rule

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The exclusionary rule refers to the law that prevents the government of the United States from applying the most proof collected in the desecration of the United States set of rules stated in the Constitution. According to the verdict in the Mapp. Versus Ohio, the exclusionary rule only applies to proof obtained from a perverse examination in the desecration of the fourth amendment of the constitution (Hsieh, 2014). On the other hand, the judgment in the Miranda versus Arizona argued that the law applies to incorrectly provoke self-incriminatory information collected concerning the degradation of the Fifth Amendment of the constitution. However, it should consider evidence obtained in conditions where the United States government dishonoured the offender's sixth amendment legal rights to advise (Hsieh, 2014). But, this rule does not include applicable to interior suitcases such as deportation and other related hearing.

Conclusively, the exclusionary rule is based on the two main United States Supreme Court cases to give direction regarding the subject matter being addressed. These cases are the Mapp. Versus Ohio and the Miranda versus Arizona which was presented before the Supreme Court of the United States and an informed decision was made (Maclin, 2013). As a result, they are used as a basis in the exclusionary rule to make the right decisions.

**Application of the Exclusionary Rule on the police**

The rule plays an integral part in guiding the conduct of a police officer who is entitled to take legal actions against lawbreakers or offenders. According to police officers, the rule does not control more vigorously the exclusionary evidence rule that they can use the force of their respect to the rule of law. However, police officers should obey the rule of law and should behave morally to obtain adequate evidence legally (Maclin, 2013). But the police alone should not fall into an error of using illegal method to gather evidence.

Besides, the Exclusionary Rule give ordinary police officers powers to confer immunity upon lawbreakers or offenders. Nevertheless, through overstepping the bounds of the law, police officers' actions can be put as significant evidence beyond the arrival of prosecution (Maclin, 2013). As such, police offers are allowed to conduct a thorough investigation to obtain reliable evidence that can be used to make a judgment before the court of law. As such, the police should always choose the most appropriate method of obtaining evidence that can provide enough proof against the accused. In doing so, this will give easy during trial and prosecution processes.

**The exception to the Exclusionary Rule**

According to the rule, there are various exceptions which explicitly serves as a basis to protect the constitutional rights of offenders and accusers in the United States. However, the limitations do not apply to the extent that justice cannot be given room to prevail. These exceptions are discussed below as follows.

 First, good faith exceptions allow evidence obtained through law enforcement or by the policeman who entirely rely on a search warrant that they consider to be valid thus can be presented for trial and prosecution (Signorelli, 2012). Secondly, the attenuation doctrine exception permits evidence improperly collected to be revealed at the hearing in case the association between the evidence and illegal method through which they were obtained is remote.

Another exception is the independent source doctrine which gives room to illegally collected evidence to be acknowledged at the trial chambers if a separate person later received it through legal activities (Signorelli, 2012). Lastly, the inevitable discovery rule is another exception that allows improperly gathered evidence to be acknowledged when it is superficial that the evidence will be finally be discovered through legal methods (Signorelli, 2012).

References

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