State v. Lauren

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Course Name

Course Code

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State v. Lauren

In this case, where various issues need a checkup and addressing for a successful outcome after trial and prosecution. In this essay am going to discuss every material of evidentiary advantage and direct them to help ease the trial. The case will be a turning point to the great epidemic which is sweeping the nation with a rigid case presentation backed up by real facts and Federal Rules of Evidence (The United States Department of Justice, 2011). This means that with a good understanding in the Federal rules of evidence in various avenues it serve well for the legal practitioner, and it helps them work out in legitimate grounds and proceedings to help those who may have less knowledge or no knowledge at all. The rules used in America in the modern day has its trace from the principles of Anglo-American principles introduced to the citizens of America by the settlers, which also affect cried almost the whole world. The rules intended to assist in conflict resolution and to settle and it could not allow in any way an individual to be arrested or one to raise any allegations against the other with no candid evidence. Since then they have been in the application despite facing massive criticism from the legal experts who claim their possession of high technicalities.

**Case.**

Dan who is routine patrol officer is on his job and pulls over Ben who had already broken the traffic rules by driving at 70 miles per hour in a road zone where it is advised a driver should maintain a 65 mile per hour. Ben had a rental car, and he gave legal document which warranted the search of the rental car. When Dan, the officer searched the vehicle, he finds a considerable amount of heroin hidden in the console between the first two front car seats. The officer then makes a decision and arrests Ben immediately. He reads the Miranda rights to him, and Ben waived. Ben explains to Officer Dan that he was driving the car for his best friend Lauren who he was to meet so she could pick the drug. In this, he Cleary stated that the drugs were not his, and they belonged to Lauren. In his mind, Ben thought of cooperating with the officer Mr. Dan so he could get himself out of the crime and avoid being charged. The plan went well as they had said of Ben meeting Lauren and they planned that immediately Lauren got inside the car, Officer Dan would arrest her. When Lauren noticed the presence of an officer in the car, who was about to stop her, she jumped out of it and ran fast as she could. She ran past two blocks, and it is also said she knocked a pedestrian, Pete, on her way at one instant. She finally escaped by successfully climbing a fence. She was later found in her residence by officer did who had a validated warrant for her arrest. He presented her in a lineup where pedestrian Pete carefully and precisely picked her out. Both of them that is Lauren and Ben was charged with the distribution and possession of heroin (Titus, 2011).

**The Evidence chart**

Below here I have a table of evidentiary issues and items concerning the case, State V. Lauren. They are fit to for both the specific and general cases it is claimed by professionals that the Federal Rules of evidence when used as Evidence in the court of law are inadmissible. It is paradoxical as it is one of the national rules that are barely uniform, and it can have many exceptions. Each of the items will be supported and addressed through the case law, Federal Rules of Evidence, and other examples.

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| --- | --- | --- | --- |
| Description of Evidence | Offered to prove | Evidentiary Rule/Law | Comments in support |
| The radar certification training for the Officers | The reason for the first traffic stop. | The fourth Amend/car speeding | Validating the traffic stop. |
| The documents for the Rental car | Car possession and contents. | Rule 901 |  |
| Heroin | Confirmation was heroin | Rule 702 | Tested to be completed |
| The statement by Pete |  | Rule 613 | Lauren statements |
| Photo Line-Up | Lauren Identity card and the report | Rule 801 | When Lauren hit Pete on the runway |
| The Statements recorded by Marilyn | Bank accounts and Drug Mules. | Rule 702 (FRE) | Patterns of drug dealing |
| Ex-Husband to Josh | History and Drug abuse | Rule 501 | Marital Privilege |
| Laurens Banks saving account | Bank transactions | Rule 902 | The search warrant need |
| Tax Returns | Hearsay | Rule 801 | Irrelevant |
| The leader to YMCA | Hearsay(Disprove) | Rule 801 | The third party. |

**The radar certification training for the Officers**

Dan stopped the car for breaking the traffic rules and speeding by 70miles per hour in a zone strictly meant for 65 miles per hour. In the Landmark case the year 1961 Mapp v.Ohio it was ruled that any evidence that is or was obtained illegally can never be used for or in any criminal procedures. By explaining the first stop of Ben’s car in this case, it is very vital and everything henceforth. The fact that Dan stopped Dan for over speeding it is evident that the Lauren charges have no stand in the case and could be dismissed with making their basis on the "Fruit of the Poisonous Tree Doctrine." The tool used to make the stop was one of the ground basis for the challenge. If the instrument was a Light Detection and Ranging equipment or a radar device (hand-held), the equipment’s should be calibrated regularly with the collaboration of the manufacturer and the state. This means that Mr. Dan must have completed the training and still held the skills of handling such instruments. These certifications must be readily available to give prove worth of stopping Ben. More so, Dan should have the best of understanding of reading and use of every tool used in his field to conduct any stop. If all this were not presented the possibility is that the case will be withdrawn and the charges filed against Ben and Lauren

**The documents for the Rental car**

The trial ends up to revolve around the rental car and the heroin that was discovered inside with ben as the driver and Lauren said to be the owner of the drugs. Giving a prove that it is ben who possessed the car and the contents that were inside would be a high focal point for the case and Lauren's arrest. More so it is ben who gave the search consent for his rental car where the heroin was found. In this case, there is supposed to be an agreement with the car rental agency to help in document authentication that ben was the agency that hired the car, in which the drugs were found. With reference to the Rule 901 of evidence, regarding identifying and authentication of evidence it would be vital to have the documents in Ben’s car but also contacting and getting the original signed agreement from the rental car agency would be of much help. If the rental car agency is privileged to have CCTV footage of ben signing the deal, it will be an added advantage.

Heroin

This is the center masterpiece of this case, which initially was all about over speeding, and in this case, it needs to be proven by testing that it was not salt but heroin. The test would be carried in a laboratory with the investigators who work with Dan or else be sent out for a state-owned facility to determine whether it falls under the Controlled Substances act (U.S.C). This can be done in two ways, and one would be a presumption test by an officer in a testing method known as colorimetric, where the substance indicates the value by the change of color. This is always taken as a preliminary test where after its process the content is forwarded to a certified laboratory to be tested the chemicals scientifically in it. In the entire process, every element identified is correctly labeled in a separate container. The testing is known as the confirmatory test. About Rule 702 of the Federal evidence, a testimony should then be taken from an expert from the field. In this case, the lab report from the technician would be a reference to the statement that the substance found in Ben's car was heroin which would support the arrest of Ben by Officer Dan (Powell, 2011).

**The statement by Pete**

In the dramatic happens of this case, Lauren meets Ben as they had agreed with Dan that he would release him if she handed over Lauren and get him out of being charged with the crime. Immediately Lauren gets in the car, and they are with ben Officer Dan approaches with high hopes of arresting Lauren who escapes by foot. During the run, she accidentally meets Pete, who she knocks to the ground. Lauren never cares as she jumps over a fence and escapes. Pete records that a statement where he had Lauren utter, "I can't get busted for this, this has been foolproof for so long!" and also states that she appeared like she was running away from the authorities. This statements, as recorded by Pete, describes the real full reason for Lauren running away. In this case, Pete needs to defend his claims and substantiate it by answering questions from any side if asked. Rule 801 from the federal laws of evidence. Excluded from hearsay would also be crucial in the establishment of Pete’s statement's validity in this case. The scenario where Pete identifies the individual who ran over him from the lineup is also crucial and would be covered by Federal Rules of Evidence 601 and 801 (Armour J, 2009).

**The Statements recorded by Marilyn**

The testimony from Marilyn is also typical in establishing history and patterns of a characteristic behavior or a drug activity. The detective is said to have 20 years of experience in the job, and thus she would be tabled severally to show that she is an experienced witness basing it from her training which is sought of high credible. The areas to be much discussed in Marilyn’s statements as per the Federal rule of evidence 702 and 703 are a report by an expert witness and the opinion of the expert statement or testimony. The process of getting the real drug user in this scenario and all the activities related to drug brings out a vivid picture of Ben and Laurens actions in the case process and how many people have been used and still are used in assisting high prolific drug dealers. The Statement made by Detective Marilyn is backed up when the prosecution urges the introduction of Lauren Bank transactions and records. This, based on her high training and experience, supports her statement on money transactions and levels. An excellent example of a case which involves an expert explaining various patterns on how drug dealers engage in narcotics illegally was United States v. Webb which happened in the year 1995. In this case, a high prolific drug dealer was arrested, and after a search, a firearm was found hidden in the engine compartment of a vehicle which was said to be his. The drug dealer stated that he never in any way knew there was a gun in the engine compartment of his car, and thus it never belonged to him. The patterns from the testimony expert witness in this scenario illustrated that people always hide guns in their engine compartments as the authorities seldom search the chambers. It is also evident that they want a near place where they can access at their needs and also the testimony expert illustrates that it is another underlying reason why they store weapons in the engine compartment of their cars other than keeping them at home. This makes it easy for them to claim that they know nothing about the firearm. In this case, Webb got convicted based on the testimony made by the expert.

**Ex-Husband to Josh**

The Ex-husband to Lauren, Josh was involved in testifying the history concerning Laurens involvement in drugs. Josh would be an added advantage to the prosecution side indicating patterns and previous history, which the defense would be against by taking it as a way to relieve anger on her Ex-wife Lauren. He would be considered dishonest and non-reliable. The Federal rule of evidence 501, the advantage, in general, would be brought up as well as the spousal aspect of his knowledge about Laurens history of Drugs and drug use. His testimony and the statement would be vital for Lauren prosecution, but giving them out against the defense would be the task. Considering the Spousal advantage or privilege, we can refer to trammel v. the United States, which went down in 1979 and it can serve as an excellent example in a criminal trial (E, 1956). In this 1979 case involving Trammel, she happened to be involved in collaboration and support the prosecution against her husband.

**The Laurens character.**

The Lauren support team was one of its askings and it defended and stood with her signifying that she was an essential asset in the community and she was a great individual in sending light to the young and privileged youth members of the society. The youth leader in the local YMCA provided testimony in defense of Lauren. In the prosecution table, it was to be dead on arrival, and an argument presented that even those iconic and outstanding individual also commit big and small crimes, and thus it was irrelevant. About the Federal Rules of Evidence, 701, 801, and 902, the above would consist.

**Conclusion**

In conclusion, the case State v.Lauren is very interesting to follow and very depressing to be involved and used for their persecution. Like a pitch game, there must exist heated arguments coming from both sides where the Judge will and must make a ruling at the end of it all. It is a case that requires to be handled with care and the Jury, in this case, is aware and thus he is much on the Federal Rules of Evidence and policies that can enable him to give a ruling. With the usage of Federal Rules of Evidence, it will allow the Judge to be aware of what content to be tabled in defense or for the prosecution and all this under the state laws.

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