

Supplementary Material

Chapter 11: The Contemporary Era – Criminal Justice/Search and Seizure

Knowles v. Iowa, 523 U.S. 113 (1998)

Patrick Knowles was stopped by an Iowa police officer for speeding. Although the officer merely issued Knowles a citation, he also searched the car. During the search he found a bag of marijuana. The officer promptly arrested Knowles for violating state drug laws. Knowles maintained that the search violated the Fourth and Fourteenth Amendments. The district attorney maintained that the police had the same authority to search when they issued a citation as they did when arresting a person. The local judge ruled that the search was constitutional and that ruling was affirmed by the Supreme Court of Iowa. Knowles appealed to the Supreme Court of the United States.

The Supreme Court unanimously ruled that the search was unconstitutional. Chief Justice Rehnquist's opinion for the Court declared that the "search incident to an arrest" exception to the warrant clause of the Fourth Amendment did not justify a search after police merely gave a driver a traffic citation. How did Chief Justice Rehnquist justify the "search incident to an arrest" exception? Why did he think the exception not warranted in this case? The Supreme Court was unanimous in Knowles. Was this case such an obvious violation of the Constitution as to justify unanimity? If so, why did the Supreme Court of Iowa see the law differently? What other reasons might explain unanimity in this case?

CHIEF JUSTICE REHNQUIST delivered the opinion of the Court.

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[There are] two historical rationales for the "search incident to arrest" exception: (1) the need to disarm the suspect in order to take him into custody, and (2) the need to preserve evidence for later use at trial. But neither of these underlying rationales for the search incident to arrest exception is sufficient to justify the search in the present case.

The threat to officer safety from issuing a traffic citation is a good deal less than in the case of a custodial arrest. [A]custodial arrest involves "danger to an officer" because of "the extended exposure which follows the taking of a suspect into custody and transporting him to the police station." . . . A routine traffic stop, on the other hand, is a relatively brief encounter and "is more analogous to a so-called '[Terry v. Ohio (1968)] stop' . . . than to a formal arrest."

. . . [W]hile the concern for officer safety in this context may justify the "minimal" additional intrusion of ordering a driver and passengers out of the car, it does not by itself justify the often considerably greater intrusion attending a full field-type search. . . .

Nor has Iowa shown the second justification for the authority to search incident to arrest—the need to discover and preserve evidence. Once Knowles was stopped for speeding and issued a citation, all the evidence necessary to prosecute that offense had been obtained. No further evidence of excessive speed was going to be found either on the person of the offender or in the passenger compartment of the car.

Iowa nevertheless argues that a "search incident to citation" is justified because a suspect who is subject to a routine traffic stop may attempt to hide or destroy evidence related to his identity (*e. g.*, a driver's license or vehicle registration), or destroy evidence of another, as yet undetected crime. As for the destruction of evidence relating to identity, if a police officer is not satisfied with the identification

furnished by the driver, this may be a basis for arresting him rather than merely issuing a citation. As for destroying evidence of other crimes, the possibility that an officer would stumble onto evidence wholly unrelated to the speeding offense seems remote.

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