

Container Searches

SIA (Chimel/Belton/Houghton)

Auto Exception (Coolidge/Acevedo)

Plain View, Abandoned, Private Search

SIA v. Auto

SIA

PC in person

at scene
[Coolidge
cops
delayed
too long]

"wingspan"
[auto = passenger
compartment +
passenger's stuff]

all containers
"associated with
the person"
[Robinson/
Chadwick]

Auto

PC in vehicle

at scene
or later

anywhere in
vehicle supported
by PC [nexus]

all containers
[within nexus]
that could hold
item

SIA v. Auto

SIA

at scene
 [College
 cops
 delayed
 too long]

PC in
 person

"wingspan"
 auto = passenger
 compartment
 passenger's stuff]

all containers
 "associated with
 the person"
 [Robinson/
 Chadwick]

**CATEGORICAL
 JUSTIFICATION**

Auto

anywhere in
 vehicle supported
 by PC [nexus]

PC in
 vehicle
 or later

all containers
 [within nexus]
 that could hold
 item

CASE-BY-CASE

Note: both presume an "exigency"

Passengers

- Wyoming v. Houghton (99)
 - even tho' PC in driver only, the "critical element in a reasonable search is not that the owner of the property is suspected of crime but that there is reasonable cause to believe that the specific 'things' to be searched for and seized are located on the property to which entry is sought." Plus, reduced expectations in car and "common enterprise with driver".

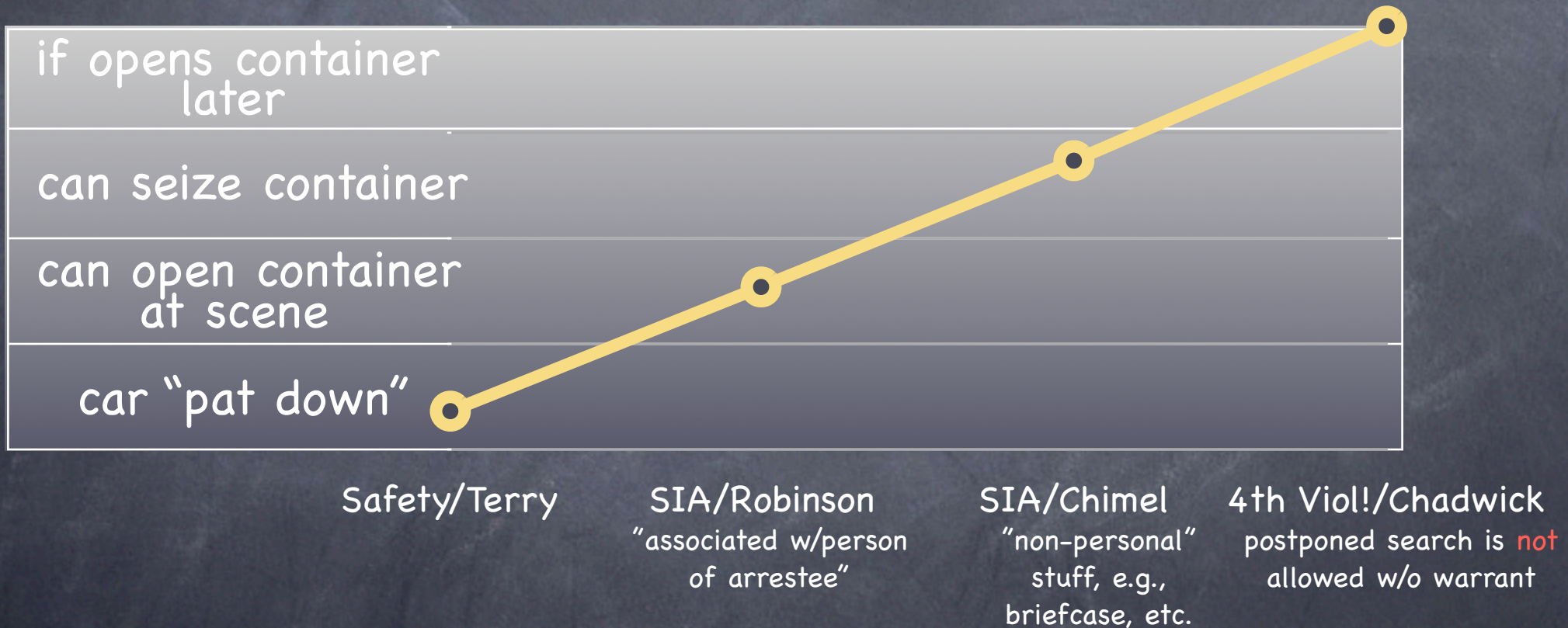
Passengers, cont.

- Maryland v. Pringle (2004) (PC transferred)
 - Pringle was one of 3 in Nissan Maxima at 3:16 a.m. Cops found \$763 of rolled-up cash in glove compartment + 5 plastic baggies of cocaine behind back-seat armrest. All denied ownership of cocaine or \$.
 - Reasonable to conclude "from these facts that any or all three of the occupants had knowledge of, and exercised dominion and control over, the cocaine. Thus a reasonable officer could conclude that there was probable cause to believe Pringle committed the crime of possession of cocaine, either solely or jointly."

Containers in General

- if PC in container itself, can seize -- then get warrant to open (Chadwick)
- but **neither PC in container nor warrant required** if:
 - SIA (& "associated with person of arrestee" — Robinson)
 - container in auto + it could hold a seizable (ie: PC'd) item — "auto exception" (Acevedo)
 - container abandoned (Greenwood; Hodari D), or
 - to extent opened during private search

Containers **not** in automobiles



Containers **in** automobiles

