

“The tendency of those who execute the criminal laws of the country to obtain convictions by means of unlawful searches and enforced confessions . . . should find no sanctions in the judgment of the courts which are charged at all times with the support of the Constitution and to which people of all conditions have a right to appeal for maintenance of such fundamental rights.” *Id.* At 392.

“If letters and private documents can thus be seized and held and used in evidence against a citizen accused of an offense, the protection of the Fourth Amendment declaring his right to be secured against such searches and seizures is of no value, and, so far as those thus placed are concerned, might as well be stricken from the Constitution. The efforts of the courts and their officials to bring the guilty to punishment, praiseworthy as they are, are not to be aided by the sacrifice of those great principles established by years of endeavor and suffering which have resulted in their embodiment in the fundamental law of the land.” *Id.* At 393.

The Government’s duty to preserve the national security did not override the guarantee that before government could invade the privacy of its citizens it must present to a neutral magistrate evidence sufficient to support issuance of a warrant authorizing that invasion of privacy. *Id.* At 322-23.

“the most basic constitutional rule in this area is that ‘searches conducted outside the judicial process, without prior approval by judge or magistrate, are per se unreasonable under the Fourth Amendment – subject only to a few specially established and well-delineated exceptions.’ *Coolidge v. New Hampshire*, 403 U.S. 443, 454-55 (1971).

The exceptions are said to be “jealously and carefully drawn,” *Jones v. United States*, 357 U.S. 493, 499 (1958).

and there must be “a showing by those who seek exemption . . . that the exigencies of the situation made that course imperative.” *McDonald v. United States*, 335 U.S. 451, 456 (1948).

The police must have articulable suspicion of criminal activity in order to make random stops of vehicles on the roads. *Delaware v. Prouse*, 440 U.S. 648 (1979).

Probable cause is “the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act.” *Brinegar v. United States*, 338 U.S. 160, 175 (1949).

Once police have probable cause to believe there is contraband in a vehicle, they may remove it from the scene to the stationhouse in order to conduct a search, without thereby being required to obtain a warrant. “The justification to conduct such a warrant less search does not vanish once the car has been immobilized; nor does it depend upon a reviewing court’s assessment of the likelihood in each particular case that the car would have been driven away, or that its contents would have been tampered with, during the