

Illinois vs Wardlow

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In the case of Illinois vs. Wardlow, many factors contributed to Wardlow's arrest. Starting with the facts of the case, on September 9, 1995 Sam Wardlow fled after seeing police vehicles covering an area in Chicago where it was known to have high drug trafficking. Two police officers spotted Wardlow, Officers Nolan and Officer Harvey, and once Officer Nolan caught up with Mr. Wardlow, Officer Nolan proceeded to conduct a pat-down search of only the outer layer of clothing, or a "Terry Stop." Officer Nolan was well aware that in this area, there was almost always a weapon on a suspect that was involved with some type of drug transaction. After conducting the frisk, Officer Nolan squeezed the opaque colored bag that Mr. Wardlow was carrying. He noticed that the object inside of the bag felt like a hard and heavy object which he believed could potentially be a gun. After looking inside the bag, Officer Nolan found a weapon inside, a .38 caliber handgun to be exact. On the spot, Officer Nolan and Officer Harvey arrested Mr. Wardlow. At the time of trial, Mr. Wardlow tried to suppress the handgun as evidence due to the fact that he believed the gun had been seized under an unlawful stop and frisk that violated his Fourth Amendment rights. The Fourth Amendment of the United States Constitution protects the right of the people against unreasonable searches and seizures by requiring a showing of probable cause in order to obtain a warrant before conducting such searches. "In a trial motion to suppress the gun, Wardlow claimed that in order to stop an individual, short of actually

arresting the person, police first had to point to 'specific reasonable inferences' why the stop was necessary." (Oyez, 2000) Recognizing that an investigation..... middle of paperuspicion, then will you be able to be one your way. In my opinion, the officers were justified in their actions. Even though Mr. Wardlow was in a high drug trafficking area, that alone was is not enough to presume that Mr. Wardlow was guilty of something. It was only when Mr. Wardlow proceeded to flee from police officers did they find him guilty of something. Works Cited The Oyez Project, Illinois v. Wardlow, 528 U.S. 119 (2000) available at: (http://oyez.org/cases/1990-1999/1999/1999_98_1036) (last visited Tuesday, January 30, 2011). • Jarret, Joseph G. "To Flee or Not to Flee: The Implications of Illinois v. Wardlow on the Practice of Criminal Law in." Florida Bar Journal LXXIV.6 (2000): 96. Web. 30 January 2011. • United States v. Sokolow, 490 U.S. 1, (1989)

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