

**FOURTH AMENDMENT DECISIONS
DURING THE REHNQUIST YEARS
(1972–2005)†**

† Black: Rehnquist did not author an opinion
Blue: Rehnquist authored an opinion
Red: Rehnquist did not participate

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
1	United States v. Biswell, 406 U.S. 311 (1972) (8-1)	Majority - Voted with Majority	White, Burger, Brennan, Stewart, Marshall, Blackmun, Powell, Rehnquist	Douglas	Warrantless inspection of business/gun premises reasonable under statute	Against 4A
2	Adams v. Williams, 407 U.S. 143 (1972) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Douglas, Brennan, Marshall	Frisk/removal of gun from suspect based on tip reasonable	Against 4A
3	Shadwick v. City of Tampa, 407 U.S. 345 (1972) (9-0)	Majority - Voted with Majority	Powell, Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Rehnquist		Municipal court clerks were neutral and detached magistrates for issuance of arrest warrants	Against 4A
4	Combs v. United States, 408 U.S. 224 (1972) (9-0)	Majority - Voted with Majority	Per Curiam - Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist		Defendant lost on standing ground below; remand to district court to determine if had reasonable expectation in place/standing to suppress	For defendant, but neutral on 4A
5	United States v. Dionisio, 410 U.S. 1 (1973) (6-3)	Majority - Voted with Majority	Stewart, Burger, White, Blackmun, Powell, Rehnquist	Douglas, Brennan, Marshall	Requiring grand jury witness to appear before grand jury and to produce voice exemplars did not infringe on 4A interests	Against 4A

6	United States v. Mara, 410 U.S. 19 (1973) (6-3)	Majority - Voted with Majority	Stewart, Burger, White, Blackmun, Powell, Rehnquist	Douglas, Brennan, Marshall	Requiring grand jury witness to produce handwriting exemplar did not intrude on 4A interest	Against 4A
7	Brown v. United States, 411 U.S. 223 (1973) (9-0)	Majority - Voted with Majority	Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist		Defendants lacked standing to raise 4A objection to search pursuant to defective SW	Against 4A
8	Schneekloth v. Bustamonte, 412 U.S. 218 (1973) (6-3)	Majority - Voted with Majority (joined concurrence)	Stewart, Burger, White, Blackmun, Powell, Rehnquist	Douglas, Brennan, Marshall	Consent requires voluntariness, not knowledge of right to refuse	Against 4A
9	Cupp v. Murphy, 412 U.S. 291 (1973) (7-2)	Majority - Voted with Majority (joined concurrence)	Stewart, Burger, White, Marshall, Blackmun, Powell, Rehnquist	Douglas, Brennan	Warrantless scrapings from fingernails of defendant voluntarily at station reasonable	Against 4A
10	Almeida-Sanchez v. United States, 413 U.S. 266 (1973) (5-4)	Dissent - Joined Dissent	Stewart, Douglas, Brennan, Marshall, Powell	Burger, White, Blackmun, Rehnquist	Warrantless, causeless roving border patrol search of automobile not border search and unreasonable	Against 4A
11	Cady v. Dombrowski, 413 U.S. 433 (1973) (5-4)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell	Douglas, Brennan, Stewart, Marshall	Warrantless search of vehicle for community caretaking was reasonable; inventory precursor	Against 4A

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12	Roaden v. Kentucky, 413 U.S. 496 (1973) (8-0 on 4A issue)	Majority - Voted with Majority	Burger, White, Brennan, Stewart, Marshall, Blackmun, Powell, Rehnquist	Douglas dissented on 1A grounds; invalidity of statute	Warrantless seizure of film was prior restraint that was unreasonable under 4A	For 4A
13	United States v. Robinson, 414 U.S. 218 (1973) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Douglas, Brennan, Marshall	Warrantless search of an arrestee's person incident to arrest is reasonable	Against 4A
14	Gustafson v. Florida, 414 U.S. 260 (1973) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Douglas, Brennan, Marshall	Warrantless search of an arrestee's person incident to arrest is reasonable	Against 4A
15	United States v. Calandra, 414 U.S. 338 (1974) (6-3)	Majority - Voted with Majority	Powell, Burger, Stewart, White, Blackmun, Rehnquist	Douglas, Brennan, Marshall	ER does not apply in grand jury proceedings (ER = exclusionary rule)	Against 4A
16	United States v. Matlock, 415 U.S. 164 (1974) (6-3)	Majority - Voted with Majority	White, Burger, Stewart, Blackmun, Powell, Rehnquist	Douglas, Brennan, Marshall	Reversed finding of no authority to consent; remanded under "common authority" standard	Against 4A
17	United States v. Edwards, 415 U.S. 800 (1974) (5-4)	Majority- Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist	Douglas, Brennan, Stewart, Marshall	Seizure of arrestee's clothing 10 hours after arrest reasonable under the circumstances	Against 4A

18	California Bankers Ass'n v. Shultz, 416 U.S. 21 (1974) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Douglas, Brennan, Marshall	Recordkeeping requirement did not infringe on 4A interest of bank customers; reporting requirement was reasonable	Against 4A
19	Air Pollution Variance Board. v. Western Alfalfa, 416 U.S. 861 (1974) (9-0)	Majority - Voted with Majority	Douglas, Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist		Health inspector's entry of outdoor premises to observe smoke plumes emitted from chimneys without knowledge or consent of occupant did not violate 4A rights of occupant	Against 4A
20	Cardwell v. Lewis, 417 U.S. 583 (1974) (5-4)	Majority - Voted with Majority	Blackmun, Burger, White, Powell, Rehnquist (plurality opinion)	Douglas, Brennan, Stewart, Marshall	Examination of exterior of vehicle in public place reasonable under automobile exception; did not infringe on REP (reasonable expectation of privacy)	Against 4A
21	Gerstein v. Pugh, 420 U.S. 103 (1975) (9-0)	Majority - Voted with Majority	Powell, Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Rehnquist		4A requires judicial determination of PC for extended restraint of freedom after arrest	For 4A

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22	United States v. Peltier, 422 U.S. 531 (1975) (5-4)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell	Douglas, Brennan, Stewart, Marshall	ER for violation of <i>Almeida-Sanchez</i> rule not retroactively applied to case on direct appeal when decision was announced	Against 4A
23	Brown v. Illinois, 422 U.S. 590 (1975) (9-0)	Majority - Voted with Majority (joined concurrence in part)	Blackmun, Burger, Douglas, Brennan, Stewart, White, Marshall, Powell, Rehnquist		Miranda warnings do not <i>per se</i> attenuate connection between illegal arrest and arrestee's statements	For 4A
24	United States v. Brignoni-Ponce, 422 U.S. 873 (1975) (9-0)	Majority - Wrote Concurrence	Powell, Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Rehnquist		Search of vehicle at checkpoint without PC unreasonable	For 4A
25	United States v. Ortiz, 422 U.S. 891 (1975) (9-0)	Majority - Wrote Concurrence	Powell, Burger, Douglas, Brennan, Stewart, White, Marshall, Blackmun, Rehnquist		Roving border patrol stop of vehicle without reasonable suspicion unreasonable	For 4A
26	Bowen v. United States, 422 U.S. 916 (1975) (5-4)	Majority - Voted with Majority	Powell, Burger, Stewart, White, Blackmun, Rehnquist	Douglas, Brennan, Stewart, Marshall	<i>Almeida-Sanchez</i> not retroactive to searches before date of decision	Against 4A

27	Texas v. White, 423 U.S. 67 (1975) (6-2)	Majority - Voted with Majority	Burger, Stewart, White, Blackmun, Powell, Rehnquist	Brennan, Marshall	Warrantless search of vehicle at station allowable under automobile exception	Against 4A
28	United States v. Watson, 423 U.S. 411 (1976) (6-2)	Majority - Voted with Majority	White, Burger, Stewart, Blackmun, Powell, Rehnquist	Brennan, Marshall	Warrantless public arrest for felony based on probable cause to arrest was reasonable	Against 4A
29	United States v. Miller, 425 U.S. 435 (1976) (7-2)	Majority - Voted with Majority	Powell, Burger, Stewart, White, Blackmun, Rehnquist, Stevens	Brennan, Marshall	Subpoena of bank records not a 4A search of customers	Against 4A
30	United States v. Santana, 427 U.S. 38 (1976) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell, Stevens	Brennan, Marshall	No REP in threshold; warrantless entry of home to arrest based on hot pursuit	Against 4A
31	Andresen v. Maryland, 427 U.S. 463 (1976) (7-2)	Majority - Voted with Majority	Blackmun, Burger, Stewart, White, Powell, Rehnquist, Stevens	Brennan, Marshall	Warrant authorizing search for "other evidence of crime," in context, satisfied particularity requirement of Warrant Clause	Against 4A
32	South Dakota v. Opperman, 428 U.S. 364 (1976) (5-4)	Majority - Voted with Majority	Burger, Blackmun, Powell, Rehnquist, Stevens	Brennan, Stewart, White, Marshall	Warrantless inventory search of vehicle reasonable	Against 4A

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33	United States v. Janis, 428 U.S. 433 (1976) (5-3)	Majority - Voted with Majority	Blackmun, Burger, White, Powell, Rehnquist	Brennan, Stewart, Marshall	ER does not apply to evidence illegally obtained by a state criminal law enforcement officer in civil tax proceeding	Against 4A
34	Stone v. Powell, 428 U.S. 465 (1976) (6-3)	Majority - Voted with Majority	Powell, Burger, Stewart, Blackmun, Rehnquist, Stevens	Brennan, White, Marshall	4A exclusionary rule claims cannot be raised in habeas proceedings unless state did not accord full and fair hearing	Against 4A
35	United States v. Martinez-Fuerte, 428 U.S. 543 (1976) (7-2)	Majority - Voted with Majority	Powell, Burger, Stewart, White, Blackmun, Rehnquist, Stevens	Brennan, Marshall	Random stops at fixed checkpoint for aliens reasonable under 4A; referral for secondary inspection permissible on less than required for roving patrol stop	Against 4A
36	Connally v. Georgia, 429 U.S. 245 (1977) (9-0)	Majority - Voted with Majority	Per Curiam - Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Warrant invalid when magistrate was paid fee for warrants issued but not paid when warrants were not issued; method of fee payment impaired neutrality of magistrate	For 4A

37	G.M. Leasing Corp. v. United States, 429 U.S. 338 (1977) (9-0)	Majority - Voted with Majority	Blackmun, Burger, Brennan, Stewart, White, Marshall, Powell, Rehnquist, Stevens		Warrantless seizures of automobiles in public places reasonable; warrantless entry of office unreasonable/not exigent	For & Against 4A
38	United States v. Ramsey, 431 U.S. 606 (1977) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Brennan, Marshall, Stevens	Reasonable cause to suspect contraband validates search of envelope under border search doctrine	Against 4A
39	United States v. Chadwick, 433 U.S. 1 (1977) (7-2)	Dissent - Joined Dissent	Burger, Brennan, Stewart, White, Marshall, Powell, Stevens	Blackmun, Rehnquist	Warrantless search of footlocker unreasonable; no exception for moveable containers	Against 4A
40	Pennsylvania v. Mimms, 434 U.S. 106 (1977) (6-3)	Majority - Voted with Majority	Per Curiam - Burger, Stewart, White, Blackmun, Powell, Rehnquist	Brennan, Marshall, Stevens	Reasonable for officer to automatically order driver to get out of vehicle during traffic stop	Against 4A
41	United States v. Ceccolini, 435 U.S. 268 (1978) (6-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Powell, Stevens	Brennan, Marshall	Live-witness testimony should be more readily admitted under attenuation exception; attenuated in this case	Against 4A

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42	Scott v. United States, 436 U.S. 128 (1978) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell, Stevens	Brennan, Marshall	Compliance with minimization requirement of wiretap statute determined objectively, as in 4A analysis, which Court borrows	Against 4A (not really a 4A issue)
43	Marshall v. Barlow's, Inc., 436 U.S. 307 (1978) (5-3)	Minority - Joined Dissent	White, Burger, Stewart, Marshall, Powell	Blackmun, Rehnquist, Stevens	OSHA authorization to search work area unconstitutional insofar as no warrant required	Against 4A
44	Michigan v. Tyler, 436 U.S. 499 (1978) (7-1)	Minority - Wrote Dissent	Stewart, Burger, White, Marshall, Blackmun, Powell, Stevens	Rehnquist	Entry to fight fire valid without SW; later entry to investigate requires administrative warrant; if PC found, ordinary SW needed	Against 4A
45	Zurcher v. Stanford Daily, 436 U.S. 547 (1978) (5-3)	Majority - Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist	Stewart, Marshall, Stevens	Search of third party/newsroom reasonable pursuant to warrant satisfying ordinary standards	Against 4A
46	Mincey v. Arizona, 437 U.S. 385 (1978) (9-0)	Majority - Wrote Concurrence in part/Dissent in part (not on 4A grounds)	Stewart, Burger, Brennan, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Homicide scene exception to SW rule not valid; warrantless search unreasonable	For 4A

47	Franks v. Delaware, 438 U.S. 154 (1978) (7-2)	Dissent - Wrote Dissent	Blackmun, Brennan, Stewart, White, Marshall, Powell, Stevens	Burger, Rehnquist	Warrant may be challenged/ invalidated based on deliberate or reckless falsehoods	Against 4A
48	Rakas v. Illinois, 439 U.S. 128 (1978) (5-4)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, Blackmun, Powell	Brennan, White, Marshall, Stevens	Standing doctrine reformed; mere passengers do not have privacy interest in vehicles	Against 4A
49	Michigan v. Doran, 439 U.S. 282 (1978) (9-0)	Majority - Voted with Majority	Burger, Stewart, White, Powell, Rehnquist, Stevens (Blackmun, Brennan, & Marshall concurred in result only)		Majority did not address 4A issue—assumed satisfied; concurrence specified what 4A requires in extradition settings	Neutral on 4A; did not decide 4A issue
50	Delaware v. Prouse, 440 U.S. 648 (1979) (8-1)	Dissent - Wrote Dissent	White, Burger, Brennan, Stewart, Marshall, Blackmun, Powell, Stevens	Rehnquist	Random spot checks/stops of cars for safety/regulation purposes unreasonable	Against 4A
51	Dalia v. United States, 441 U.S. 238 (1979) (5-4)	Majority - Voted with Majority	Powell, Burger, White, Blackmun, Rehnquist	Brennan, Stewart, Marshall, Stevens	4A did not bar covert entry to install legal electronic equipment; does not require surveillance order to include authorization for covert entry	Against 4A

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52	Bell v. Wolfish, 441 U.S. 520 (1979) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Brennan, Marshall, Stevens	Prisoner visual body cavity searches after contact visits can be reasonable without probable cause	Against 4A
53	Dunaway v. New York, 442 U.S. 200 (1979) (6-2)	Dissent - Wrote Dissent	Brennan, Stewart, White, Marshall, Blackmun, Stevens	Burger, Rehnquist	Seizure of suspect required probable cause	Against 4A
54	Lo-Ji Sales, Inc. v. New York, 442 U.S. 319 (1979) (9-0)	Majority - Voted with Majority	Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Warrant not particular; magistrate not neutral and detached when participated in search	For 4A
55	Torres v. Puerto Rico, 442 U.S. 465 (1979) (9-0)	Majority - Voted with Majority	Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		4A applies to Puerto Rico; search of luggage without SW and PC unreasonable; border search analogy not applicable; suppression required	For 4A
56	Smith v. Maryland, 442 U.S. 735 (1979) (5-3)	Majority - Voted with Majority	Blackmun, Burger, White, Rehnquist, Stevens	Brennan, Stewart, Marshall	Use of pen register to monitor numbers dialed with cooperation of phone company not a search	Against 4A

57	Arkansas v. Sanders, 442 U.S. 753 (1979) (7-2)	Dissent - Joined Dissent	Powell, Burger, Brennan, Stewart, White, Marshall, Stevens	Blackmun, Rehnquist	Search of suitcase in trunk of car not within auto exception	Against 4A
58	Michigan v. DeFillippo, 443 U.S. 31 (1979) (6-3)	Majority - Voted with Majority	Burger, Stewart, White, Blackmun, Powell, Rehnquist	Brennan, Marshall, Stevens	Arrest under statute later found unconstitutional valid under 4A; search incident to arrest proper; evidence admissible	Against 4A
59	Brown v. Texas, 443 U.S. 47 (1979) (9-0)	Majority - Voted with Majority	Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Encounter was seizure without reasonable suspicion; 4A barred arrest based on statute requiring identification	For 4A
60	Baker v. McCollan, 443 U.S. 137 (1979) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell	Brennan, Marshall, Stevens	Detention pursuant to valid warrant despite protests of mistaken identity/innocence does not violate due process	Neutral on 4A - 4A compliance used to deny DP claim
61	Ybarra v. Illinois, 444 U.S. 85 (1979) (6-3)	Dissent - Wrote Dissent	Stewart, Brennan, White, Marshall, Powell, Stevens	Burger, Blackmun, Rehnquist	Frisk of bar patron based on SW for bar for narcotics unreasonable	Against 4A
62	United States v. Crews, 445 U.S. 463 (1980) (8-0)	Majority - Voted with Majority (joined concurrence in result)	Brennan, Burger, Stewart, White, Blackmun, Powell, Rehnquist, Stevens		In-court identification of defendant not subject to suppression due to illegal arrest	Against 4A

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63	Payton v. New York, 445 U.S. 573 (1980) (6-3)	Dissent - Wrote Dissent	Stevens, Brennan, Stewart, Marshall, Blackmun, Powell	Burger, White, Rehnquist	Entry of suspected felon's home to arrest requires arrest warrant and PC to believe felon at home	Against 4A
64	United States v. Mendenhall, 446 U.S. 544 (1980) (5-4)	Majority - Joined lead opinion	Stewart, Burger, Blackmun, Powell, Rehnquist	Brennan, White, Marshall, Stevens	Encounter with suspect in airport reasonable either because not a seizure or reasonable suspicion to stop	Against 4A
65	United States v. Havens, 446 U.S. 620 (1980) (5-4)	Majority - Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist	Brennan, Stewart, Marshall, Stevens	Illegally obtained evidence admissible to impeach defendant's testimony elicited on proper cross-examination	Against 4A
66	Walter v. United States, 447 U.S. 649 (1980) (5-4)	Dissent - Joined Dissent	Stevens, Brennan, Stewart, White, Marshall	Burger, Blackmun, Powell, Rehnquist	Warrantless examination of film contents by exhibiting them was a search and was unreasonable	Against 4A
67	United States v. Payner, 447 U.S. 727 (1980) (6-3)	Majority - Voted with Majority	Powell, Burger, Stewart, White, Rehnquist, Stevens	Brennan, Marshall, Blackmun	Bank customers lacked privacy interests in banker's briefcase; could not object to search even though deliberate violation of 4A	Against 4A

68	United States v. Salvucci, 448 U.S. 83 (1980) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell, Stevens	Brennan, Marshall	Automatic standing doctrine for exclusionary rule overruled	Against 4A
69	Rawlings v. Kentucky, 448 U.S. 98 (1980) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Stewart, White, Blackmun, Powell, Stevens	Brennan, Marshall	Ownership of property seized only a factor, not sufficient to establish privacy interest in place searched; statements attenuated from detention	Against 4A
70	Reid v. Georgia, 448 U.S. 438 (1980) (8-1)	Dissent - Wrote Dissent	Per Curiam - Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Stevens	Rehnquist	Suspect was seized without reasonable suspicion in airport in violation of 4A	Against 4A
71	Colorado v. Bannister, 449 U.S. 1 (1980) (9-0)	Majority - Voted with Majority	Per Curiam - Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Warrant not needed to seize items from lawfully stopped car when there was PC to seize them; automobile exception applied	Against 4A
72	United States v. Cortez, 449 U.S. 411 (1981) (9-0)	Majority - Voted with Majority	Burger, Brennan, Stewart, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Stop of vehicle justified by reasonable suspicion; intrusion reasonably related to justification	Against 4A

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73	Steagald v. United States, 451 U.S. 204 (1981) (7-2)	Dissent - Wrote Dissent	Marshall, Burger, Brennan, Stewart, Blackmun, Powell, Stevens	White, Rehnquist	Home entry to arrest suspected felon requires SW to intrude on privacy interest of third person not named in arrest warrant	Against 4A
74	Donovan v. Dewey, 452 U.S. 594 (1981) (8-1)	Majority - Wrote Concurrence	Marshall, Burger, Brennan, White, Blackmun, Powell, Rehnquist, Stevens	Stewart	Warrantless inspections of mines and quarries reasonable under 4A because regulated	Against 4A
75	Michigan v. Summers, 452 U.S. 692 (1981) (6-3)	Majority - Voted with Majority	Stevens, Burger, White, Blackmun, Powell, Rehnquist	Brennan, Stewart, Marshall	Detention of home occupant during execution of SW for contraband permissible	Against 4A
76	Robbins v. California, 453 U.S. 420 (1981) (6-3)	Dissent - Wrote Dissent	Stewart, Burger, Brennan, White, Marshall, Powell	Blackmun, Rehnquist, Stevens	Warrantless searches of packages in vehicle not reasonable under automobile exception	Against 4A
77	New York v. Belton, 453 U.S. 454 (1981) (6-3)	Majority - Wrote Concurrence	Stewart, Burger, Blackmun, Powell, Rehnquist, Stevens	Brennan, White, Marshall	Search of vehicle passenger compartment reasonable incident to arrest of recent occupant	Against 4A

78	Washington v. Chrisman, 455 U.S. 1 (1982) (6-3)	Majority - Voted with Majority	Burger, Blackmun, Powell, Rehnquist, Stevens, O'Connor	White, Brennan, Marshall	Officer may enter residence to monitor arrestee who requested and was granted permission to enter to obtain identification	Against 4A
79	United States v. Ross, 456 U.S. 798 (1982) (6-3)	Majority - Voted with Majority	Stevens, Burger, Blackmun, Powell, Rehnquist, O'Connor	Brennan, White, Marshall	Search of container found in car during search fell within automobile exception	Against 4A
80	Taylor v. Alabama, 457 U.S. 687 (1982) (5-4)	Dissent - Joined Dissent	Marshall, Brennan, White, Blackmun, Stevens	Burger, Powell, Rehnquist, O'Connor	Confession obtained after illegal arrest not admissible under the attenuation exception	Against 4A
81	Michigan v. Thomas, 458 U.S. 259 (1982) (7-2)	Majority - Voted with Majority	Per Curiam (summary reversal) -Burger, White, Blackmun, Powell, Rehnquist, Stevens, O'Connor	Brennan, Marshall wanted to set for oral argument	Search of car in police custody valid under automobile exception	Against 4A
82	United States v. Knotts, 460 U.S. 276 (1983) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Brennan, White, Marshall, Blackmun, Powell, Stevens, O'Connor		Tracking by beeper of public movements not a 4A search	Against 4A
83	Florida v. Royer, 460 U.S. 491 (1983) (5-4)	Dissent - Wrote Dissent	White, Brennan, Marshall, Powell, Stevens	Burger, Blackmun, Rehnquist, O'Connor	Movement of suspect after valid stop beyond scope of detention on reasonable suspicion	Against 4A

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84	Texas v. Brown, 460 U.S. 730 (1983) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Brennan, White, Marshall, Blackmun, Powell, Stevens, O'Connor		During valid stop, officer's inspection of vehicle interior with flashlight did not violate 4A; seizure of balloon valid under "plain view" doctrine	Against 4A
85	Illinois v. Gates, 462 U.S. 213 (1983) (6-3)/(5-4)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell, O'Connor	Brennan, Marshall, Stevens	Overruled <i>Aguilar-Spinelli</i> two-pronged test for hearsay-based PC assessments; replaced with totality approach	Against 4A
86	United States v. Villamonte-Marquez, 462 U.S. 579 (1983) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell, O'Connor	Brennan, Marshall, Stevens	Customs officer boarding of boats and inspection of documents were reasonable without reasonable suspicion	Against 4A
87	Illinois v. Lafayette, 462 U.S. 640 (1983) (9-0)	Majority - Voted with Majority	Burger, Brennan, White, Marshall, Blackmun, Powell, Rehnquist, Stevens, O'Connor		Inventory of arrestee reasonable when arrestee was to be incarcerated, standard procedures followed	Against 4A

88	United States v. Place, 462 U.S. 696 (1983) (9-0)	Majority - Voted with Majority	O'Connor, Burger, Brennan, White, Marshall, Blackmun, Powell, Rehnquist, Stevens	(Note: Justices not in full agreement on 4A law; agreed that seizure in case was too extensive)	Seizure of luggage too extensive on reasonable suspicion; dog sniffs not searches; inanimate objects may be seized on reasonable suspicion	For 4A claimant (Against 4A law on dog sniff and seizure authority)
89	Illinois v. Andreas, 463 U.S. 765 (1983) (6-3)	Majority - Voted with Majority	Burger, White, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Reopening of container not a search because no substantial likelihood contents changed	Against 4A
90	Michigan v. Long, 463 U.S. 1032 (1983) (6-3)	Majority - Voted with Majority	O'Connor, Burger, White, Blackmun, Powell, Rehnquist	Brennan, Marshall, Stevens	Limited search of car for weapons reasonable on reasonable suspicion suspect is dangerous and may gain control of weapons	Against 4A
91	Michigan v. Clifford, 464 U.S. 287 (1984) (5-4)	Dissent - Wrote Dissent	Powell, Brennan, White, Marshall, Stevens	Burger, Blackmun, Rehnquist, O'Connor	Administrative warrant sufficient to reenter home after fire if to determine cause; criminal warrant needed if to gather evidence	Against 4A
92	Donovan v. Lone Steer, Inc., 464 U.S. 408 (1984) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Burger, Brennan, White, Marshall, Blackmun, Powell, Stevens, O'Connor		Warrantless entry of public lobby of commercial premises to serve subpoena did not violate 4A	Against 4A

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93	United States v. Jacobsen, 466 U.S. 109 (1984) (7-2)	Majority - Voted with Majority	Stevens, Burger, White, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall	Neither reopening of package nor chemical field test was a 4A search	Against 4A
94	Oliver v. United States, 466 U.S. 170 (1984) (6-3)	Majority - Voted with Majority	Powell, Burger, White, Blackmun, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Open fields doctrine affirmed; no REP in private lands beyond curtilage	Against 4A
95	INS v. Delgado, 466 U.S. 210 (1984) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell, Stevens, O'Connor	Brennan, Marshall	Workers not seized during INS visit to workplace even though INS agents were stationed at exits and individual workers were questioned	Against 4a
96	Florida v. Meyers, 466 U.S. 380 (1984) (6-3)	Majority - Voted with Majority	Per Curiam - Burger, White, Blackmun, Powell, Rehnquist, O'Connor	Stevens, Brennan, Marshall dissent from grant of certiorari/summary disposition	Car subject to search under auto exception despite being in custody of authorities	Against 4A
97	Massachusetts v. Upton, 466 U.S. 727 (1984) (7-2)	Majority - Voted with Majority	Per Curiam - Burger, White, Blackmun, Powell, Rehnquist, O'Connor, Stevens	Brennan, Marshall dissent from summary disposition	Totality of circumstances, not two-pronged test, is standard for judging whether PC exists; affidavit in case sufficient to establish PC	Against 4A

98	Welsh v. Wisconsin, 466 U.S. 740 (1984) (6-2-1)	Dissent - Joined Dissent	Brennan, Marshall, Blackmun, Powell, Stevens, O'Connor	White, Rehnquist, Burger (WR wanted to dismiss writ as improvidently granted)	Exigent circumstances did not justify home entry to apprehend drunk driving suspect/obtain evidence	Against 4A
99	Hudson v. Palmer, 468 U.S. 517 (1984) (5-4)	Majority - Voted with Majority	Burger, White, Powell, Rehnquist, O'Connor	Brennan, Marshall, Blackmun, Stevens	Search of prison cell not regulated by 4A; no REP for prisoner in cell	Against 4A
100	United States v. Karo, 468 U.S. 705 (1984) (6-3)	Majority - Joined Concurrence	White, Burger, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Transfer of beeper was not a search; monitoring beeper in home was a search; SW supported by PC without information from monitoring; evidence untainted/admissible	For & Against 4A
101	Segura v. United States, 468 U.S. 796 (1984) (5-4)	Majority - Voted with Majority	Burger, White, Powell, Rehnquist, O'Connor	Brennan, Marshall, Blackmun, Stevens	Securing house pending issuance of SW did not taint later searches pursuant to warrant	Against 4A
102	United States v. Leon, 468 U.S. 897 (1984) (6-3)	Majority - Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Adopted objectively reasonable reliance on warrant ("good faith") exception to ER	Against 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
103	Massachusetts v. Sheppard, 468 U.S. 981 (1984) (7-2)	Majority - Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist, Stevens, O'Connor	Brennan, Marshall	Reasonable reliance on warrant exception to ER applicable to insufficiently particular warrant	Against 4A
104	INS v. Lopez-Mendoza, 468 U.S. 1032 (1984) (5-4)	Majority - Voted with Majority	O'Connor, Burger, Blackmun, Powell, Rehnquist	Brennan, White, Marshall, Stevens	Exclusionary rule did not apply in civil deportation hearing to bar the prospective deportee's admission	Against 4A
105	Florida v. Rodriguez, 469 U.S. 1 (1984) (6-3)	Majority - Voted with Majority	Per Curiam - Burger, White, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Initial contact in airport concourse was consensual; assuming it became a seizure, it was justified by articulable suspicion	Against 4A
106	Thompson v. Louisiana, 469 U.S. 17 (1984) (9-0)	Majority - Voted with Majority	Per Curiam - Burger, Brennan, White, Marshall, Blackmun, Powell, Rehnquist, O'Connor, Stevens		No murder scene exception to SW requirement; may render aid to one in need of assistance, etc.	For 4A
107	United States v. Hensley, 469 U.S. 221 (1985) (9-0)	Majority - Voted with Majority	O'Connor, Burger, Brennan, White, Marshall, Blackmun, Powell, Rehnquist, Stevens		Stop based on flyer providing reasonable suspicion of a completed felony reasonable under <i>Terry</i> extension	Against 4A

108	New Jersey v. T.L.O., 469 U.S. 325 (1985) (6-3)	Majority - Voted with Majority	White, Burger, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens concurring and dissenting	School official search of students permissible on reasonable suspicion	Against 4A
109	United States v. Johns, 469 U.S. 478 (1985) (7-2)	Majority - Voted with Majority	O'Connor, Burger, White, Blackmun, Powell, Rehnquist, Stevens	Brennan, Marshall	Automobile exception applicable despite delay in searching packages in car	Against 4A
110	United States v. Sharpe, 470 U.S. 675 (1985) (7-1-1)	Majority - Voted with Majority	Burger, White, Marshall, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Stevens (on procedural grounds)	Twenty-minute detention based on reasonable suspicion not unreasonable where officers were diligent, not dilatory	Against 4A
111	Winston v. Lee, 470 U.S. 753 (1985) (9-0)	Majority - Voted with Majority	Brennan, Burger, White, Marshall, Blackmun, Powell, Rehnquist, Stevens, O'Connor		Surgical intrusion into body too intrusive to be reasonable without more than PC; required a compelling need	For 4A
112	Hayes v. Florida, 470 U.S. 811 (1985) (8-0)	Majority - Voted with Majority	White, Burger, Brennan, Marshall, Blackmun, Rehnquist, Stevens, O'Connor		Transportation of suspect to police station without probable cause or judicial order was unreasonable	For 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
113	Tennessee v. Garner, 471 U.S. 1 (1985) (6-3)	Dissent - Joined Dissent	White, Brennan, Marshall, Blackmun, Powell, Stevens	Burger, Rehnquist, O'Connor	Seizure of suspect by deadly force unreasonable where no threat, no PC to believe suspect committed offense involving infliction/threatened infliction of serious physical harm	Against 4A
114	California v. Carney, 471 U.S. 386 (1985) (6-3)	Majority - Voted with Majority	Burger, White, Blackmun, Powell, Rehnquist, O'Connor	Brennan, Marshall, Stevens	Automobile doctrine applies to motor home parked in public lot	Against 4A
115	Maryland v. Macon, 472 U.S. 463 (1985) (7-2)	Majority - Voted with Majority	O'Connor, Burger, White, Blackmun, Powell, Rehnquist, Stevens	Brennan, Marshall	Examination of exposed parts of bookstore not violation of REP; purchase of magazine not seizure; even if arrest unreasonable, magazine not excludable	Against 4A
116	United States v. Montoya De Hernandez, 473 U.S. 531 (1985) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell, Stevens, O'Connor	Brennan, Marshall	Sixteen-hour detention based on reasonable suspicion of alimentary canal drug smuggling reasonable	Against 4A

117	New York v. Class, 475 U.S. 106 (1986) (5-4)	Majority - Voted with Majority	O'Connor, Burger, Blackmun, Powell, Rehnquist	Brennan, White, Marshall, Stevens	Reaching into car to move papers obscuring VIN was search, but sufficiently unintrusive to be reasonable	Against 4A
118	New York v. P.J. Video, Inc., 475 U.S. 868 (1986) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, Burger, White, Blackmun, Powell, O'Connor	Brennan, Marshall, Stevens	Higher standard for search warrant for allegedly obscene materials rejected	Against 4A
119	California v Ciraolo, 476 U.S. 207 (1986) (5-4)	Majority - Voted with Majority	Burger, White, Rehnquist, Stevens, O'Connor	Brennan, Marshall, Blackmun, Powell	Aerial surveillance of backyard not a search under 4A	Against 4A
120	Dow Chemical Co. v. United States, 476 U.S. 227 (1986) (5-4)	Majority - Voted with Majority	Burger, White, Rehnquist, Stevens, O'Connor	Brennan, Marshall, Blackmun, Powell	Aerial surveillance of commercial curtilage by camera not a search	Against 4A
121	Colorado v. Bertine, 479 U.S. 367 (1987) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, White, Blackmun, Powell, Stevens, O'Connor, Scalia	Brennan, Marshall	Searches of containers in car within inventory exception to SW rule	Against 4A
122	Maryland v. Garrison, 480 U.S. 79 (1987) (6-3)	Majority - Voted with Majority	Stevens, Rehnquist, White, Powell, O'Connor, Scalia	Brennan, Marshall, Blackmun	Search of apartment valid; reasonable to mistakenly believe was only one apartment when SW was issued and executed	Against 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
123	United States v. Dunn, 480 U.S. 294 (1987) (7-2)	Majority - Voted with Majority	White, Rehnquist, Blackmun, Powell, Stevens, O'Connor, Scalia	Brennan, Marshall	Barn not within curtilage; look into barn with flashlight not unreasonable search	Against 4A
124	Arizona v. Hicks, 480 U.S. 321 (1987) (6-3)	Dissent - Joined Dissents	Scalia, Brennan, White, Marshall, Stevens	Rehnquist, Powell, O'Connor	Movement of equipment (turntable) was a search and required probable cause	Against 4A
125	Illinois v. Krull, 480 U.S. 340 (1987) (5-4)	Majority - Voted with Majority	Blackmun, Rehnquist, White, Powell, Scalia	Brennan, Marshall, Stevens, O'Connor	Evidence obtained in "reasonable reliance" on unconstitutional statute not barred by exclusionary rule	Against 4A
126	O'Connor v. Ortega, 480 U.S. 709 (1987) (5-4)	Majority - Voted with Majority	O'Connor, Rehnquist, White, Powell, Scalia	Brennan, Marshall, Blackmun, Stevens	Work-related intrusions on employee areas by public employers governed by standard of reasonableness; neither SW nor PC required	Against 4A
127	New York v. Burger, 482 U.S. 691 (1987) (6-3)	Majority - Voted with Majority	Blackmun, Rehnquist, White, Powell, Stevens, Scalia	Brennan, Marshall, O'Connor	Search pursuant to statute was within exception for administrative inspections of closely regulated businesses	Against 4A

128	Griffin v. Wisconsin, 483 U.S. 868 (1987) (5-4)	Majority - Voted with Majority	Scalia, Rehnquist, White, Powell, O'Connor	Brennan, Marshall, Blackmun, Stevens	Search of probationer's home under statute requiring "reasonable grounds" instead of PC was constitutional	Against 4A
129	California v. Greenwood, 486 U.S. 35 (1988) (6-2)	Majority - Voted with Majority	White, Rehnquist, Blackmun, Stevens, O'Connor, Scalia	Brennan, Marshall	Inspection of trash at curb not a 4A search	Against 4A
130	Michigan v. Chesternut, 486 U.S. 567 (1988) (9-0)	Majority - Voted with Majority	Blackmun, Rehnquist, Brennan, White, Marshall, Stevens, O'Connor, Scalia, Kennedy		Following suspect did not constitute a seizure under 4A	Against 4A
131	Murray v. United States, 487 U.S. 533 (1988) (4-3)	Majority - Voted with Majority	Scalia, Rehnquist, White, Blackmun,	Marshall, Stevens, O'Connor	Independent source exception applies to evidence once discovered; applicable if information not used to obtain SW and if decision to get SW not prompted by unreasonable entry	Against 4A
132	Florida v. Riley, 488 U.S. 445 (1989) (5-4)	Majority - Voted with Majority	White, Rehnquist, O'Connor, Scalia, Kennedy	Brennan, Marshall, Blackmun, Stevens	Aerial surveillance of greenhouse by helicopter not a search/no violation of REP	Against 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
133	Brower v. Inyo County, 489 U.S. 593 (1989) (9-0)	Majority - Voted with Majority	Scalia, Rehnquist, Brennan, White, Marshall, Blackmun, Stevens, O'Connor, Kennedy		Placement of roadblock effected seizure of defendant; 4A claim stated	For 4A
134	Skinner v. Railway Labor Executives' Ass'n, 489 U.S. 602 (1989) (7-2)	Majority - Voted with Majority	Kennedy, Rehnquist, White, Blackmun, Stevens, O'Connor, Scalia	Brennan, Marshall	Railroad random drug testing program reasonable	Against 4A
135	National Treasury Employees Union v. Von Raab, 489 U.S. 656 (1989) (5-4)	Majority - Voted with Majority	Kennedy, Rehnquist, White, Blackmun, O'Connor	Brennan, Marshall, Stevens, Scalia	Customs Service random drug testing program reasonable	Against 4A
136	United States v. Sokolow, 490 U.S. 1 (1989) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, White, Blackmun, Stevens, O'Connor, Scalia, Kennedy	Brennan, Marshall	Agents had reasonable suspicion for stop of suspect; no requirement of one suspicious factor	Against 4A
137	Graham v. Connor, 490 U.S. 386 (1989) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Brennan, White, Marshall, Blackmun, Stevens, O'Connor, Scalia, Kennedy		Fourth Amendment is the basis for judging excessive force claims based on seizure of a person	Neutral on 4A

138	James v. Illinois, 493 U.S. 307 (1990) (5-4)	Dissent - Joined Dissent	Brennan, White, Marshall, Blackmun, Stevens	Rehnquist, O'Connor, Scalia, Kennedy	Evidence obtained in violation of 4A not admissible to impeach defense witness	Against 4A
139	United States v. Verdugo-Urquidez, 494 U.S. 259 (1990) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, White, Stevens, O'Connor, Scalia, Kennedy	Brennan, Marshall, Blackmun	Search of Mexican citizen's home in Mexico not governed by 4A under circumstances of case	Against 4A
140	Maryland v. Buie, 494 U.S. 325 (1990) (7-2)	Majority - Voted with Majority	White, Rehnquist, Blackmun, Stevens, O'Connor, Scalia, Kennedy	Brennan, Marshall	Protective sweep following in-home arrest permissible on reasonable suspicion home harbors person posing danger	Against 4A
141	Smith v. Ohio, 494 U.S. 541 (1990) (9-0)/(8-1)		Per Curiam - Rehnquist, Brennan, White, Marshall, Blackmun, Stevens, O'Connor, Scalia, Kennedy	Marshall dissented from summary disposition, but agreed on 4A merits	Search of bag that preceded and provided grounds for arrest not a valid search incident to arrest	For 4A
142	Florida v. Wells, 495 U.S. 1 (1990) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Brennan, White, Marshall, Blackmun, Stevens, O'Connor, Scalia, Kennedy		Inventory invalid where police had no policy at all regulating searches of containers in cars	For 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
143	New York v. Harris, 495 U.S. 14 (1990) (5-4)	Majority - Voted with Majority	White, Rehnquist, O'Connor, Scalia, Kennedy	Brennan, Marshall, Blackmun, Stevens	ER does not bar statements made outside home after arrest in home without warrant, but with PC to arrest	Against 4A
144	Minnesota v. Olson, 495 U.S. 91 (1990) (7-2)	Dissented (without opinion)	White, Brennan, Marshall, Stevens, O'Connor, Scalia, Kennedy	Rehnquist, Blackmun	Overnight guest has privacy interest entitling him to rely on ER; no exigency justified warrantless entry	Against 4A
145	Horton v. California, 496 U.S. 128 (1990) (7-2)	Majority - Voted with Majority	Stevens, Rehnquist, White, Blackmun, O'Connor, Scalia, Kennedy	Brennan, Marshall	Plain view doctrine does not require inadvertent discovery of evidence seized	Against 4A
146	Alabama v. White, 496 U.S. 325 (1990) (6-3)	Majority - Voted with Majority	White, Rehnquist, Blackmun, O'Connor, Scalia, Kennedy	Brennan, Marshall, Stevens	Tip as corroborated had sufficient indicia of reliability to justify stop of vehicle	Against 4A
147	Michigan Department of State Police v. Sitz, 496 U.S. 444 (1990) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, White, Blackmun, O'Connor, Scalia, Kennedy	Brennan, Marshall, Stevens	Suspicionless seizure at drunk driving roadblock was reasonable	Against 4A

148	Illinois v. Rodriguez, 497 U.S. 177 (1990) (6-3)	Majority - Voted with Majority	Scalia, Rehnquist, Blackmun, O'Connor, Kennedy	Brennan, Marshall, Stevens	Search reasonable if officers reasonably believe consentor has common authority	Against 4A
149	California v. Hodari D., 499 U.S. 621 (1991) (7-2)	Majority - Voted with Majority	Scalia, Rehnquist, White, Blackmun, O'Connor, Kennedy, Souter	Marshall, Stevens	Suspect not seized by show of authority unless reasonable person would not feel free to leave and suspect submits	Against 4A
150	County of Riverside v. McLaughlin, 500 U.S. 44 (1991) (5-4)	Majority - Voted with Majority	O'Connor, Rehnquist, White, Kennedy, Souter	Marshall, Blackmun, Stevens, Scalia	Judicial determination of PC within forty-eight hours after arrest is presumptively prompt/ reasonable	Against 4A
151	Florida v. Jimeno, 500 U.S. 248 (1991) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, White, Blackmun, O'Connor, Scalia, Kennedy, Souter	Marshall, Stevens	Scope of consent search determined by standard of objective reasonableness	Against 4A
152	California v. Acevedo, 500 U.S. 565 (1991) (6-3)	Majority - Voted with Majority	Blackmun, Rehnquist, O'Connor, Scalia, Kennedy, Souter	White, Marshall, Stevens	Containers in vehicles fall within automobile exception as long as there is PC to search	Against 4A
153	Florida v. Bostick, 501 U.S. 429 (1991) (6-3)	Majority - Voted with Majority	O'Connor, Rehnquist, White, Scalia, Kennedy, Souter	Marshall, Blackmun, Stevens	Passengers on busses not per se seized; seizure depends on whether reasonable person would feel free to decline requests or terminate encounter	Against 4A

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154	Soldal v. Cook County, IL, 506 U.S. 56 (1992) (9-0)	Majority - Voted with Majority	White, Rehnquist, Blackmun, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas		Complaint alleging physical removal of mobile home sufficiently alleged 4A seizure even without privacy invasion	For 4A
155	United States v. Padilla, 508 U.S. 77 (1993) (9-0)	Majority - Voted with Majority	Per Curiam - Rehnquist, White, Blackmun, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas		No co-conspirator exception to standing requirement for ER	Against 4A
156	Minnesota v. Dickerson, 508 U.S. 366 (1993) (9-0)	Majority - Wrote Concurrence/Dissent	White, Rehnquist, Blackmun, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas		Squeezing object in pocket of suspect exceeded <i>Terry</i> frisk and required probable cause	For 4A
157	United States v. James Daniel Good Real Property, 510 U.S. 43 (1993) (5-4)	Dissent - Wrote Dissent	Kennedy, Blackmun, Stevens, Souter, Ginsburg	Rehnquist, O'Connor, Scalia, Thomas	4A does not provide sole protection against seizures of property; DP requires notice and opportunity to be heard when property seized for civil forfeiture	Neutral on 4A
158	Albright v. Oliver, 510 U.S. 266 (1994) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg	Blackmun, Stevens	Arrest without PC does not violate DP; if any right violated it is 4A	Neutral on 4A

159	Powell v. Nevada, 511 U.S. 79 (1994) (7-2)	Dissent - Joined Dissent	Ginsburg, Blackmun, Stevens, O'Connor, Scalia, Kennedy, Souter	Rehnquist, Thomas	<i>McLaughlin</i> , which requires judicial determination of PC within 48 hours, applies retroactively	Against 4A
160	Arizona v. Evans, 514 U.S. 1 (1995) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Breyer	Stevens, Ginsburg	Reasonable reliance on clerical error of judicial employee is valid exception to ER; expansion of <i>Leon</i> doctrine	Against 4A
161	Wilson v. Arkansas, 514 U.S. 927 (1995) (9-0)	Majority - Voted with Majority	Thomas, Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Ginsburg, Breyer		Knock-and-announce principle is a presumptive component of the reasonableness of the execution of a search	For 4A
162	Vernonia School District 47J v. Acton, 515 U.S. 646 (1995) (6-3)	Majority - Voted with Majority	Scalia, Rehnquist, Kennedy, Thomas, Ginsburg, Breyer	Stevens, O'Connor, Souter	School's suspicionless drug testing program for student-athletes was reasonable	Against 4A
163	Ornelas v. United States, 517 U.S. 690 (1996) (8-1)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Kennedy, Souter, Thomas, Ginsburg, Breyer	Scalia	PC determinations subject to <i>de novo</i> on appeal; not under a deferential clear error standard	Neutral on 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
164	Whren v. United States, 517 U.S. 806 (1996) (9-0)	Majority - Voted with Majority	Scalia, Rehnquist, Stevens, O'Connor, Kennedy, Souter, Thomas, Ginsburg, Breyer		Probable cause is judged objectively, officers' subjective motivations (pretexts) are irrelevant	Against 4A
165	Pennsylvania v. Labron, 518 U.S. 938 (1996) (7-2)	Majority - Voted with Majority	Per Curiam - Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Breyer	Stevens, Ginsburg	Automobile exception applies to all readily mobile vehicles; no need for exigency showing	Against 4A
166	Pennsylvania v. Kilgore, 518 U.S. 938 (1996) (7-2)	Majority - Voted with Majority	Per Curiam - Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Breyer	Stevens, Ginsburg	Automobile exception applies to all readily mobile vehicles; no need for exigency showing	Against 4A
167	Ohio v. Robinette, 519 U.S. 33 (1996) (8-1)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer	Stevens	For consent to be valid/voluntary not per se necessary for officer to tell detainee he is free to go	Against 4A
168	Maryland v. Wilson, 519 U.S. 408 (1997) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Souter, Thomas, Ginsburg, Breyer	Stevens, Kennedy	Officers may automatically order passengers out of vehicles during traffic stops	Against 4A

169	Chandler v. Miller, 520 U.S. 305 (1997) (8-1)	Dissent - Wrote Dissent	Ginsburg, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Breyer	Rehnquist	Random drug testing program for political candidates unconstitutional	Against 4A
170	Richards v. Wisconsin, 520 U.S. 385 (1997) (9-0)	Majority - Voted with Majority	Stevens, Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Categorical felony-drug exception to knock-and-announce principle not valid; entry here within knock-and-announce exception	For 4A law; Against 4A claimant
171	United States v. Ramirez, 523 U.S. 65 (1998) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Property damage or destruction does not trigger higher standard to justify no-knock entry	Against 4A
172	Pennsylvania Board of Probation v. Scott, 524 U.S. 357 (1998) (5-4)	Majority - Voted with Majority	Thomas, Rehnquist, O'Connor, Scalia, Kennedy	Stevens, Souter, Ginsburg, Breyer	Exclusionary rule inapplicable to parole revocation hearings	Against 4A
173	Minnesota v. Carter, 525 U.S. 83 (1998) (6-3)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Thomas, Breyer	Stevens, Souter, Ginsburg	Because of limited connections to home, defendants did not have privacy interests, and, therefore, could not object to search of home	Against 4A

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174	Knowles v. Iowa, 525 U.S. 113 (1998) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Search incident to citation for traffic violation not reasonable	For 4A
175	Wyoming v. Houghton, 526 U.S. 295 (1999) (6-3)	Majority - Voted with Majority	Scalia, Rehnquist, O'Connor, Kennedy, Thomas, Breyer	Stevens, Souter, Ginsburg	Passengers' belongings subject to search under automobile exception as long as there is PC to search	Against 4A
176	Florida v. White, 526 U.S. 559 (1999) (7-2)	Majority - Voted with Majority	Thomas, Rehnquist, O'Connor, Scalia, Kennedy, Souter, Breyer	Stevens, Ginsburg	Warrantless seizure of car in public place is reasonable based on PC to believe car is forfeitable contraband	Against 4A
177	Wilson v. Layne, 526 U.S. 603 (1999) (9-0)/(8-1)	Majority - Wrote Majority Opinion	Rehnquist, Stevens (on 4A), O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer	Stevens (dissenting on qualified immunity)	Media presence during execution of warrant violated 4A; third party presence unreasonable unless in aid of execution of warrant	For 4A

178	Hanlon v. Berger, 526 U.S. 808 (1999) (8-1)	Majority - Voted with Majority	Per Curiam - Rehnquist, Stevens (on 4A), O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer	Stevens (dissenting on qualified immunity)	Plaintiffs stated claim for 4A violation for media presence, but officials had qualified immunity	For 4A
179	Maryland v. Dyson, 527 U.S. 465 (1999) (7-2)	Majority - Voted with Majority	Per Curiam - Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg	Stevens, Breyer (agree on 4A law)	Only PC, no SW, needed for search of car under automobile exception	Against 4A
180	Flippo v. West Virginia, 528 U.S. 11 (1999) (9-0)	Majority - Voted with Majority	Per Curiam - Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Decision inconsistent with precedent rejecting "murder scene" exception to SW rule for homes	For 4A
181	Illinois v. Wardlow, 528 U.S. 119 (2000) (5-4)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Thomas	Stevens, Souter, Ginsburg, Breyer	Was reasonable suspicion to detain suspect based on unprovoked flight in high crime area	Against 4A
182	Florida v. J.L., 529 U.S. 266 (2000) (9-0)	Majority - Joined Concurrence	Ginsburg, Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Breyer		Tip, even with corroboration, did not have adequate indicia of reliability to support reasonable suspicion for stop and frisk	For 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
183	Bond v. United States, 529 U.S. 334 (2000) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Kennedy, Souter, Thomas, Ginsburg	Scalia, Breyer	Squeezing of bag in exploratory manner was a search under 4A	For 4A
184	City of Indianapolis v. Edmond, 531 U.S. 32 (2000) (6-3)	Dissent - Wrote Dissent	O'Connor, Stevens, Kennedy, Souter, Ginsburg, Breyer	Rehnquist, Scalia, Thomas	Roadblocks impermissible if primary programmatic purpose is general interest in crime control; drug interdiction roadblock was unconstitutional	Against 4A
185	Illinois v. McArthur, 531 U.S. 326 (2001) (8-1)	Majority - Voted with Majority	Breyer, Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg	Stevens	Limited warrantless seizure of home was reasonable where PC and reasonable to believe suspect would destroy evidence	Against 4A
186	Ferguson v. City of Charleston, 532 U.S. 67 (2001) (6-3)	Dissent - Joined Dissent	Stevens, O'Connor, Kennedy, Souter, Ginsburg, Breyer	Rehnquist, Scalia, Thomas	Suspicionless drug testing of pregnant women unreasonable; not a special needs search divorced from general criminal law enforcement	Against 4A
187	Atwater v. City of Lago Vista, 532 U.S. 318 (2001) (5-4)	Majority - Voted with Majority	Souter, Rehnquist, Scalia, Kennedy, Thomas	Stevens, O'Connor, Ginsburg, Breyer	Warrantless arrest for any minor criminal offense committed in officer's presence is reasonable	Against 4A

188	Arkansas v. Sullivan, 532 U.S. 769 (2001) (9-0)	Majority - Voted with Majority	Per Curiam - Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Ruling that subjective motive of officer rendered arrest improper was inconsistent with <i>Whren's</i> interpretation of 4A	Against 4A
189	Florida v. Thomas, 532 U.S. 774 (2001) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		No jurisdiction to review nonfinal ruling of state court that <i>Belton</i> did not apply if arrestee out of car when first approached	Neutral on 4A
190	Kyllo v. United States, 533 U.S. 27 (2001) (5-4)	Dissent - Joined Dissent	Scalia, Souter, Thomas, Ginsburg, Breyer	Rehnquist, Stevens, O'Connor, Kennedy	Thermal imaging of home is a search and is subject to the warrant requirement	Against 4A
191	United States v. Knights, 534 U.S. 112 (2001) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Search of probationer's home based on reasonable suspicion, in accord with probation condition, was reasonable	Against 4A
192	United States v. Arvizu, 534 U.S. 266 (2002) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Stop was based on reasonable suspicion when factors evaluated in totality, rather than in isolation, including reasonable inferences of agent	Against 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
193	United States v. Drayton, 536 U.S. 194 (2002) (6-3)	Majority - Voted with Majority	Kennedy, Rehnquist, O'Connor, Scalia, Thomas, Breyer	Stevens, Souter, Ginsburg	Passengers not seized during bus encounter even though they were not informed that they were free to refuse consent; their consent was voluntary	Against 4A
194	Kirk v. Louisiana, 536 U.S. 635 (2002) (9-0)	Majority - Voted with Majority	Per Curiam - Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Under <i>Payton</i> , absent exigent circumstances, police officers' warrantless entry of home violated 4A	For 4A
195	Board of Education v. Earls, 536 U.S. 822 (2002) (5-4)	Majority - Voted with Majority	Thomas, Rehnquist, Scalia, Kennedy, Breyer	Stevens, O'Connor, Souter, Ginsburg	School's random drug testing policy for students in extracurricular activities was reasonable	Against 4A
196	Kaupp v. Texas, 538 U.S. 626 (2003) (9-0)	Majority - Voted with Majority	Per Curiam - Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Absent showing that confession made after defendant's illegal arrest was a sufficient act of free will to purge the taint, confession had to be suppressed	For 4A

197	United States v. Banks, 540 U.S. 31 (2003) (9-0)	Majority - Voted with Majority	Souter, Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Thomas, Ginsburg, Breyer		Circumstances justified exception to knock-and-announce rule's reasonable wait time requirement	Against 4A
198	Maryland v. Pringle, 540 U.S. 366 (2003) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Finding contraband in car and other facts gave rise to PC to arrest any/all of the three occupants of car	Against 4A
199	Illinois v. Lidster, 540 U.S. 419 (2004) (6-3)	Majority - Voted with Majority	Breyer, Rehnquist, O'Connor, Scalia, Kennedy, Thomas, Breyer	Stevens, Souter, Ginsburg	Suspicionless "information seeking" checkpoint stops in order to find witnesses to accident were reasonable	Against 4A
200	Groh v. Ramirez, 540 U.S. 551 (2004) (5-4)/(7-2 on 4A merits)	Dissent - Joined Dissents	Stevens, O'Connor, Souter, Ginsburg, Breyer	Rehnquist, Kennedy (qualified immunity); Thomas, Scalia (no 4A violation and qualified immunity)	SW that failed to describe items to be seized invalid despite descriptions in affidavit; search under invalid SW unreasonable	For 4A
201	United States v. Flores-Montano, 541 U.S. 149 (2004) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Dismantling of car at border without articulable suspicion reasonable as border search	Against 4A

	CASE	REHNQUIST POSITION/ROLE	MAJORITY JUSTICES	DISSENTING JUSTICES	HOLDING	R=FOR or AGAINST 4A
202	Thornton v. United States, 541 U.S. 615 (2004) (7-2)	Majority - Wrote Majority Opinion	Rehnquist, O'Connor, Scalia, Kennedy, Thomas, Ginsburg, Breyer	Stevens, Souter	Search of vehicle incident to arrest of recent occupant valid though arrestee first approached outside vehicle	Against 4A
203	Hiibel v. Sixth Judicial District Court, 542 U.S. 177 (2004) (5-4)	Majority - Voted with Majority	Kennedy, Rehnquist, O'Connor, Scalia, Thomas	Stevens, Souter, Ginsburg, Breyer	Reasonable to require validly detained suspect to identify self and to arrest him for failing to comply with requirement	Against 4A
203a	Devenpeck v. Alford, 543 U.S. 146 (2004) (8-0)	REHNQUIST DID NOT PARTICIPATE	Scalia, Stevens, O'Connor, Kennedy, Souter, Thomas, Ginsburg, Breyer		Arrest valid if objective facts known provide PC to arrest for offense whether or not offense was closely related to offense stated as the basis for the arrest	WR DID NOT PARTICIPATE
204	Brosseau v. Haugen, 543 U.S. 194 (2004) (8-1)	Majority - Voted with Majority	Per Curiam - Rehnquist, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer	Stevens	Officer entitled to qualified immunity because prior law did not clearly establish shooting suspect would violate 4A; Court did not decide reasonableness	Neutral on 4A
204a	Illinois v. Caballes, 543 U.S. 405 (2005) (6-2)	REHNQUIST DID NOT PARTICIPATE	Stevens, O'Connor, Scalia, Kennedy, Thomas, Breyer	Souter, Ginsburg	Dog sniff of lawfully stopped car does not constitute search; does not require justification	WR DID NOT PARTICIPATE

205	Muehler v. Mena, 544 U.S. 93 (2005) (9-0)	Majority - Wrote Majority Opinion	Rehnquist, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg, Breyer		Detention and handcuffing of occupant during SW execution reasonable; questioning about immigration status not a seizure/no reasonable suspicion required	Against 4A
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