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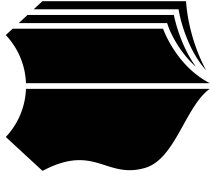
NAME THAT CASE!

A flashcard game to test your
caselaw knowledge



Name that Case!

Fourth Amendment Searches & Seizures



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Spokane, Washington

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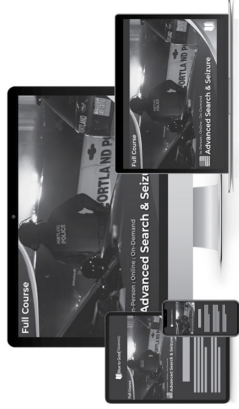
Name that Case! Fourth Amendment Searches and Seizures

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Flashcard Subjects

REASONABLE EXPECTATION OF PRIVACY	19
OPEN FIELDS & CURTILAGE	53
ABANDONED PROPERTY	61
FOREIGN SEARCHES	65
PRIVATE INTRUSIONS	67
THIRD-PARTY CONTROL	69
THE FOURTH AMENDMENT: WHAT IS A SEIZURE?	75
ARRESTS—GENERALLY	91

ARRESTS—PREMISES	93
ARRESTS—THIRD-PARTY PREMISES	97
ARRESTS—ARREST WARRANTS	101
ARRESTS—PROTECTIVE SWEEPS.....	105
STOPS—GENERALLY	107
STOPS—TERRY STOPS/TRAFFIC STOPS	111
PROBABLE CAUSE	129
REASONABLE SUSPICION.....	139
SEARCH WARRANTS—PROBABLE CAUSE REQUIRED.....	151

SEARCH WARRANTS—ESTABLISHING PROBABLE CAUSE IN AN AFFIDAVIT	155
SEARCH WARRANTS—ANTICIPATORY WARRANTS	159
SEARCH WARRANTS—NEUTRAL AND DETACHED MAGISTRATE	161
SEARCH WARRANTS—PARTICULARITY REQUIREMENT	163
SEARCH WARRANTS—KNOCK AND ANNOUNCE	165
SEARCH WARRANTS—PERSON AT THE PREMISES	177
SEARCH WARRANTS—RELATED ISSUES	187
SEARCH WARRANT EXCEPTIONS—PLAIN VIEW	193
SEARCH WARRANT EXCEPTIONS—MOBILE VEHICLES	199

SEARCH WARRANT EXCEPTIONS—DESTRUCTION OF EVIDENCE	221
SEARCH WARRANT EXCEPTIONS—HOT PURSUIT	229
SEARCH WARRANT EXCEPTIONS—EMERGENCY SCENES.....	235
SEARCH WARRANT EXCEPTIONS—FRISKS	251
SEARCH INCIDENT TO ARREST - PREMISES	257
SEARCH INCIDENT TO ARREST - CELL PHONES	269
SEARCH INCIDENT TO ARREST - VEHICLES	271
SEARCH INCIDENT TO ARREST - ALCOHOL TESTS	275
CONSENT	277

INVENTORIES.....	299
INSPECTIONS - STRUCTURES.....	309
INSPECTIONS - VEHICLES.....	323
INSPECTIONS - PAROLEES.....	329
INSPECTIONS - SPECIAL NEEDS	333
INSPECTIONS - BORDER INSPECTIONS	347

The Fourth Amendment: What is a Search?

Question: What case established that a Fourth Amendment search occurs when the government intrudes upon a reasonable expectation of privacy, even in a public telephone booth?

Answer: *Katz v. United States*, 389 U.S. 347, 88 S. Ct. 507 (1967)

The Supreme Court ruled that a Fourth Amendment search occurs when the government intrudes upon a person's reasonable expectation of privacy, even in a public space. Katz used a public phone booth to conduct private conversations, and FBI agents, without a warrant, attached an eavesdropping device outside the booth. The Court held that Katz had a reasonable expectation of privacy in his calls, as he took steps to ensure confidentiality. This case established the "reasonable expectation of privacy" test, shifting away from a purely property-based approach to Fourth Amendment searches.

The Fourth Amendment: What is a Search?

Question: What case held that a Fourth Amendment search occurs when the government physically trespasses on a person's effects, such as attaching a GPS device to a vehicle, to gather information?

Answer: *United States v. Jones*, 565 U.S. 400, 132 S. Ct. 945 (2012)

The Court held that a Fourth Amendment search occurs when the government physically trespasses on a person's property to gather information. In this case, law enforcement officers attached a GPS tracker to Jones's vehicle without a valid warrant and monitored his movements for 28 days. The Court ruled that physically placing the GPS device on the vehicle constituted a search under the Fourth Amendment. This case reaffirmed that government trespass on "persons, houses, papers, and effects" for the purpose of gathering information qualifies as a search, complementing the privacy-based standard established in *Katz*

The Fourth Amendment: What is a Search?

Question: What case held that the Fourth Amendment applies to searches conducted by public school officials and that such searches must be reasonable at their inception and in scope?

Answer: *New Jersey v. T.L.O.*, 469 U.S. 325, 105 S. Ct. 733 (1985)

The Supreme Court ruled that the Fourth Amendment applies to searches conducted by public school officials, but with a lower standard than law enforcement. When a school administrator searched a student's purse without a warrant and found evidence of drug dealing, the Court determined the search was justified because it was reasonable in its inception and scope. While students have Fourth Amendment protections in school, searches by officials only require reasonable suspicion rather than probable cause, balancing the school's interest in maintaining discipline with students' privacy rights.

The Fourth Amendment: What is a Search?

Question: What case held that the Fourth Amendment does not apply when evidence is obtained through private actions rather than government conduct?

Answer: *Coolidge v. New Hampshire*, 403 U.S. 443, 91 S. Ct. 2022 (1971)

The Court ruled that the Fourth Amendment applies only to governmental actions, not private individuals acting independently. In this case, a murder suspect's wife voluntarily turned over weapons and clothing to law enforcement without coercion. Since she was not acting as a government agent, the evidence was not obtained through a Fourth Amendment search or seizure. This case highlights the principle that the Fourth Amendment protects against government, not private, intrusions on privacy.

The Fourth Amendment: What is a Search?

Question: What case held that the Fourth Amendment applies to government agents?

Answer: *Gouled v. United States*, 255 U.S. 298, 41 S. Ct. 261 (1921)

The Supreme Court ruled that when a government agent, under false pretenses of friendship, enters private property to seize documents without a warrant, it constitutes a Fourth Amendment search. In this case, a government informant accessed Gouled's office and took incriminating papers. The Court held that such deceptive conduct by government officials is an unreasonable search, reinforcing that government agents must comply with Fourth Amendment protections.

Reasonable Expectation of Privacy

Question: What case held that law enforcement's naked-eye aerial observation of a backyard from public airspace does not constitute a Fourth Amendment search?

Answer: *California v. Ciraolo*, 476 U.S. 207, 106 S. Ct. 1809 (1986)

The Supreme Court ruled that law enforcement's naked-eye aerial observation of a backyard from public airspace does not constitute a Fourth Amendment search. In this case, officers flew over Ciraolo's property at 1,000 feet and saw marijuana plants despite his attempts to shield the area with high fences. The Court held that since the officers were in navigable airspace where any member of the public could legally be, Ciraolo had no reasonable expectation of privacy from aerial observation, making the search lawful without a warrant.

Reasonable Expectation of Privacy

Question: What case held that aerial photography of an industrial complex from public navigable airspace does not constitute a Fourth Amendment search?

Answer: *Dow Chemical Co. v. United States*, 476 U.S. 227, 106 S. Ct. 1819 (1986)

The Court held that the use of aerial photography to observe an industrial complex from public airspace does not constitute a Fourth Amendment search. The Environmental Protection Agency (EPA) took high-resolution photographs of Dow Chemical's facility after the company denied an on-site inspection. Since the open areas of an industrial plant are not analogous to the curtilage of a home and were visible from public airspace, the Court determined that Dow had no reasonable expectation of privacy against aerial surveillance.

Reasonable Expectation of Privacy

Question: What case held that law enforcement's naked-eye observation of a property's curtilage from a helicopter at 400 feet does not constitute a Fourth Amendment search?

Answer: *Florida v. Riley*, 488 U.S. 445, 109 S. Ct. 693 (1989)

The Supreme Court ruled that law enforcement's naked-eye observation of a property's curtilage from a helicopter at 400 feet does not constitute a Fourth Amendment search. In this case, an officer observed marijuana growing inside a partially open greenhouse on Riley's property while flying at an altitude permitted by the FAA. The Court reasoned that because any member of the public could legally fly at that altitude and look down, Riley had no reasonable expectation of privacy from such aerial observations.

Reasonable Expectation of Privacy

Question: What case held that placing personal effects in a double-locked footlocker demonstrates an expectation of privacy, requiring a warrant to search its contents?

Answer: *United States v. Chadwick*, 433 U.S. 1, 97 S. Ct. 2476 (1977)

The Court ruled that placing personal effects in a double-locked footlocker demonstrates a reasonable expectation of privacy, requiring a warrant to search its contents. Law enforcement had probable cause to believe a footlocker contained drugs, seized it after an arrest, and searched it without a warrant. The Court held that the heightened privacy expectation in the locked container required a warrant under the Fourth Amendment, distinguishing it from the lower privacy expectation in automobiles.

Reasonable Expectation of Privacy

Question: What case held that reopening a sealed container after a lawful border search and controlled delivery is not a Fourth Amendment search because there is no remaining expectation of privacy?

Answer: *Illinois v. Andreas*, 463 U.S. 765, 103 S. Ct. 3319 (1983)

The Court ruled that reopening a sealed container after a lawful border search and controlled delivery is not a Fourth Amendment search because the owner no longer has a reasonable expectation of privacy. Customs agents lawfully discovered marijuana in a shipping container and conducted a controlled delivery to Andreas before arresting him and reopening the package. The Court held that once the contents were lawfully revealed in the initial border search, the government's later reexamination did not constitute an additional search.

Reasonable Expectation of Privacy

Question: What case held that monitoring a beeper inside a private residence constitutes a Fourth Amendment search because it intrudes on a reasonable expectation of privacy?

Answer: *United States v. Karo*, 468 U.S. 705, 104 S. Ct. 3296 (1984)

The Supreme Court ruled that while installing a beeper inside a container before it was delivered to a suspect was not a search, monitoring the beeper's signal inside a private residence was. DEA agents used a beeper hidden inside a can of ether to track its movements, including while inside Karo's home. The Court determined that while no privacy was violated before the can entered Karo's home, tracking its location inside a residence intruded upon a reasonable expectation of privacy, requiring a warrant.

Reasonable Expectation of Privacy

Question: What case held that the use of thermal imaging to detect heat levels inside a home constitutes a Fourth Amendment search?

Answer: *Kyllo v. United States*, 533 U.S. 27, 121 S. Ct. 2038 (2001)

The Court held that using thermal imaging technology to detect heat levels inside a home constitutes a Fourth Amendment search. Law enforcement used a thermal scanner to measure heat emanating from Kyllo's residence to determine whether he was growing marijuana indoors. The Court reasoned that since the technology allowed the government to obtain information about the interior of the home that would not otherwise be available without physical intrusion, it violated Kyllo's reasonable expectation of privacy and required a warrant.

Reasonable Expectation of Privacy

Question: What case held that the presence of a government informant in a defendant's private space does not constitute a Fourth Amendment search because there is no reasonable expectation of privacy in voluntary conversations?

Answer: *Hoffa v. United States*, 385 U.S. 293, 87 S. Ct. 408 (1966)

The Court ruled that the presence of a government informant in a defendant's private space does not constitute a Fourth Amendment search because there is no reasonable expectation of privacy in voluntary conversations. Hoffa, who was staying in a hotel suite, confided in a government informant about jury tampering. The Court held that Hoffa assumed the risk that the informant might relay his statements to law enforcement, emphasizing that the Fourth Amendment does not protect misplaced trust in others.

Reasonable Expectation of Privacy

Question: What case held that an overnight guest has a reasonable expectation of privacy in a host's home, making warrantless entry without consent or exigent circumstances a Fourth Amendment violation?

Answer: *Minnesota v. Olson*, 495 U.S. 91, 110 S. Ct. 1684 (1990)

The Court held that an overnight guest has a reasonable expectation of privacy in a host's home, making warrantless entry without consent or exigent circumstances a Fourth Amendment violation. Olson, a suspect in a robbery, was staying at a friend's house when police entered without a warrant and arrested him. The Court ruled that guests staying overnight have a privacy interest in their temporary residence, requiring law enforcement to obtain a warrant before entering.

Reasonable Expectation of Privacy

Question: What case held that a visitor engaged in a commercial transaction does not have a reasonable expectation of privacy in the premises?

Answer: *Minnesota v. Carter*, 525 U.S. 83, 119 S. Ct. 469 (1998)

The Supreme Court ruled that a visitor engaged in a commercial transaction does not have a reasonable expectation of privacy in the premises. Carter was at an acquaintance's apartment solely to package drugs when officers observed him through a window. Unlike an overnight guest in Olson, Carter's brief and business-related presence did not create a privacy interest in the apartment, meaning he lacked standing to challenge the search.

Reasonable Expectation of Privacy

Question: What case held that public employees can have a reasonable expectation of privacy in their workplace, but employer searches for work-related purposes must be judged by a reasonableness standard rather than probable cause?

Answer: *O'Connor v. Ortega*, 480 U.S. 709, 107 S. Ct. 1492 (1987)

The Court ruled that public employees can have a reasonable expectation of privacy in their workplace, but employer searches for work-related purposes must be judged by a reasonableness standard rather than probable cause. A public hospital searched Ortega's office while he was on leave, and the Court determined that while he had a privacy interest in his desk and personal effects, the search was permissible because it was work-related and reasonable in scope.

Reasonable Expectation of Privacy

Question: What case held that a government employer's review of an employee's text messages on a work-issued pager was reasonable, even if the employee had a potential expectation of privacy?

Answer: *City of Ontario v. Quon*, 560 U.S. 746, 130 S. Ct. 2619 (2010)

The Court ruled that a government employer's review of an employee's text messages on a work-issued pager was reasonable, even if the employee had a potential expectation of privacy. Quon, a police officer, used his department-issued pager to send personal messages, and the department reviewed transcripts to determine if overages were work-related. The Court found the search reasonable as it was motivated by work-related purposes and limited in scope.

Reasonable Expectation of Privacy

Question: What case held that a prison inmate has no reasonable expectation of privacy in a prison cell, making the Fourth Amendment inapplicable to cell searches?

Answer: *Hudson v. Palmer*, 468 U.S. 517, 104 S. Ct. 3194 (1984)

The Court held that a prison inmate has no reasonable expectation of privacy in a prison cell, making the Fourth Amendment inapplicable to cell searches. Prison officials searched Palmer's cell and found contraband. The Court ruled that the needs of prison security outweigh any expectation of privacy an inmate might have, meaning routine cell searches do not require a warrant or probable cause.

Reasonable Expectation of Privacy

Question: What case held that there is no reasonable expectation of privacy in a vehicle's VIN because of its role in government regulation and its required placement in plain view?

Answer: *New York v. Class*, 475 U.S. 106, 106 S. Ct. 960 (1986)

The Supreme Court ruled that there is no reasonable expectation of privacy in a vehicle's VIN because of its role in government regulation and its required placement in plain view. An officer reached inside Class's car to move papers covering the VIN and saw an illegal gun. The Court determined that because the VIN is meant to be visible to law enforcement and the public, its retrieval was not a Fourth Amendment search.

Reasonable Expectation of Privacy

Question: What case held that a law enforcement officer's physical manipulation of a bus passenger's bag in an overhead bin constitutes a Fourth Amendment search?

Answer: *Bond v. United States*, 529 U.S. 334, 120 S. Ct. 1462 (2000)

The Court ruled that a law enforcement officer's physical manipulation of a bus passenger's bag in an overhead bin constitutes a Fourth Amendment search. A Border Patrol agent squeezed Bond's bag and felt a suspiciously shaped object inside, leading to a drug seizure. The Court found that while bus passengers expect others to handle their luggage, they do not expect intentional tactile inspections by law enforcement without a warrant.

Reasonable Expectation of Privacy

Question: What case held that the prolonged seizure of a traveler's luggage without diligent investigation is unreasonable under the Fourth Amendment, but a drug dog sniff does not constitute a search?

Answer: *United States v. Place*, 462 U.S. 696, 103 S. Ct. 2637 (1983)

The Court ruled that the prolonged seizure of a traveler's luggage without diligent investigation is unreasonable under the Fourth Amendment, but a drug dog sniff does not constitute a search. Law enforcement detained Place's luggage at an airport for 90 minutes before conducting a dog sniff, which led to the discovery of drugs. While the Court upheld the sniff as non-intrusive, it found the delay in obtaining probable cause unreasonable.

Reasonable Expectation of Privacy

Question: What case held that a driver in lawful possession of a rental car has a reasonable expectation of privacy, even if not listed on the rental agreement?

Answer: *Byrd v. United States*, 200 L. Ed. 2d 805, 138 S. Ct. 1518 (2018)

The Court held that a driver in lawful possession of a rental car has a reasonable expectation of privacy, even if not listed on the rental agreement. Byrd was driving a rented car when officers stopped and searched it without his consent. The Court ruled that Byrd had a Fourth Amendment privacy interest in the car because he had lawful possession, meaning law enforcement needed probable cause or consent to conduct a search.

Open Fields & Curtilage

Question: What case held that the Fourth Amendment does not extend protection to “open fields,” and that government observations made from such areas are not subject to Fourth Amendment restrictions?

Answer: *Hester v. United States*, 265 U.S. 57, 44 S. Ct. 445 (1924)

The Supreme Court established the open fields doctrine, holding that the Fourth Amendment does not extend protection to “open fields,” and that observations made from such areas are not subject to Fourth Amendment restrictions. In this case, law enforcement officers, without a warrant, observed Hester handling moonshine on his property from a distance. The Court ruled that open fields do not provide the same privacy expectations as homes or their curtilage, meaning officers did not conduct a Fourth Amendment search.

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