United States V. Ross case

Police May Search Trunks and Closed Packages If the police legitimately stop a car and have probable cause to believe that it contains contraband, they may conduct a warrantless search of the car. This search can be as thorough as a search authorized by a warrant issued by a magistrate. Therefore, every part of the vehicle in which the contraband might be stored may be inspected, including the trunk and all receptacles and packages (United States v. Ross, 456 U.S. 798 [1982]). Arizona v. Gant (2009) United States v. Ross (1982)

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In United States v. Ross, after making a valid vehicle stop and arrest for a narcotics sale, one of the officers opened the car’s trunk and found a closed brown paper bag. Inside the bag were glassine bags containing heroin. The officer then drove the car to police headquarters, where another warrantless search of the trunk revealed a zippered leather pouch containing cash. During the trial, the suspect argued that the police officers should not have opened either the paper bag or the leather pouch found in the trunk without first obtaining a warrant. The Supreme Court disagreed and allowed the evidence to be admitted. The Ross case is important because it further defines the scope of police authority in searches of vehicles. In Belton, the Court specifically refused to address the issue of whether the police may open the trunk of a car in connection with a warrantless search incident to a valid arrest. Although based on slightly different facts, as it involved a warrantless search based on probable cause, Ross addressed that issue and authorized such action. But it went further, holding that any packages or luggage found in the trunk that could reasonably be thought to contain the items for which the officers have probable cause to search may also be opened without a warrant. Ross has therefore greatly expanded the scope of allowable warrantless car searches, focusing the search on the whole automobile as the possible source of evidence. Opening the brown paper bag and the pouch was legitimate by extension of police authority to conduct a warrantless search of the car. (Read the Case Brief to learn more about this case.)

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Facts: Police in Washington, D.C., received information from an informant that Ross was selling narcotics kept in the trunk of his car, which was parked at a specified location. The police drove to the location, spotted the person and car that matched the descriptions given by the informant, and made a warrantless arrest. The officers opened the car’s trunk and found a closed brown paper bag containing heroin. The officers then drove the car to police headquarters, where another warrantless search of the trunk revealed a zippered leather pouch containing cash. Ross was charged with possession of heroin with intent to distribute. He sought to suppress the heroin and cash as evidence, alleging that both were obtained in violation of his constitutional rights because there were no exigent circumstances that would justify a warrantless search. Issue: After a valid arrest, may the police open the trunk of the car and containers found therein without a warrant and in the absence of exigent circumstances? Yes. Holding: When the police have probable cause to justify a warrantless search of a car, they may search the entire car and open the trunk and any packages or luggage found therein that could reasonably be thought to contain the items for which they have probable cause to search. Case Significance: The Ross case is important in that it further defines the scope of police authority in vehicle searches. The Court’s Belton decision had specifically refused to address the issue of whether the police could open the trunk of a car in connection with a search incident to a valid arrest. Ross addressed that issue and authorized such an action. But it went beyond that: Any packages or luggage found in the car that could reasonably be thought to contain the items for which there was probable cause to search could also be opened without a warrant. Ross has therefore greatly expanded the scope of allowable warrantless search, limited only by what is reasonable. Excerpts from the Decision: As we have stated, the decision in Carroll was based on the Court’s appraisal of practical considerations viewed in the perspective of history. It is therefore significant that the practical consequences of the Carroll decision would be largely nullified if the permissible scope of a warrantless search of an automobile did not include containers and packages found inside the vehicle. Contraband goods rarely are strewn across the trunk or floor of a car; because by their very nature such goods must be withheld from public view, they rarely can be placed in an automobile unless they are enclosed within some form of container.... The Court in Carroll held that “contraband goods concealed and illegally transported in an automobile or other vehicle may be searched for without a warrant.” As we noted in Henry v. United States, the decision in Carroll “merely relaxed the requirements for a warrant on grounds of practicability.” It neither broadened nor limited the scope of a lawful search based on probable cause. A lawful search of fixed premises generally extends to the entire area in which the object of the search may be found and is not limited by the possibility that separate acts of entry or opening may be required to complete the search. Thus, a warrant that authorizes an officer to search a home for illegal weapons also provides authority to open closets, chests, drawers, and containers in which the weapon might be found. A warrant to open a footlocker to search for marijuana would also authorize the opening of packages found inside. A warrant to search a vehicle would support a search of every part of the vehicle that might contain the object of the search. When a legitimate search is under way, and when its purpose and its limits have been precisely defined, nice distinctions between closets, drawers, and containers, in the case of a home, or between glove compartments, upholstered seats, trunks, and wrapped packages, in the case of a vehicle, must give way to the interest in the prompt and efficient completion of the task at hand. Case Brief The Leading Case on the Search of Car Trunks and Closed Packages in Trunks United States v. Ross, 456 U.S. 798 (1982) Searches When the Arrested Suspect Is Not in the Vehicle—Questions Remain

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