Unlawful stops legitimized after the fact?

By Marc Rotenberg

T he police officer who stopped Edward Stroud at a gas station in Salt Lake City had nei-
ther even witnessed the officer’s use of ra-
risibly tace. However, the officer’s stop was
related to a theft warrant, which led to a call to a police dis-
spatcher that said Stroud was in an outstanding warrant, which led to the discovery of an uncharged traffic
violation, which led to a physical search, and
then to the discovery of marijuana and drug paraphernalia.
Stroud opposes the drug evidence arguing that the steps were
unlawful.
The seizure doctrine per-
mit the police to use rea-
nance when the initial stop
is unlawful. In Oklahoma v. Stough (2010), the Supreme Court held (5:4) be-
cause there was noIndividuals
a mechanism to bridge the wid-

The wall between physical world
and digital world is increasingly permeable. It is not
difficult to imagine a world, a few years from now, when the iden-
tification of individuals in public spaces becomes highly automated.
The subsequent search for outstanding warrants, as well as other
intramural intimations may be fed into automated systems — if
perhaps high “inventory risk” scores, will be part of the enti-
rely efficacious diminishing police discrep-
cies while retaining police
surveillance. Police microphone, uniforms, the acts of partic-
ular officers, will be a less sig-
ificant concern. But restrained policing functions — the integra-
tion of systems for identification, targeting, monitoring and analy-
se — will be a concern. If the purpose of the evidentiary rule is to
prevent the police from finding evidence that might be used to
secure a conviction, the police officer will have to pay closer attention to
the operation of these systems.
The Fourth Amendment chal-

Development law will help need for med

By Constantine Baranoff

C alifornia is on the cusp of adopting a new
type of local redevelopment tool that
would provide a mechanism to bridge the
widening gap between community needs and financing limitations.

As the state recovers from the Great Recession, construction is booming, and the need for affordable housing is skyrock-
etering. Assembly Bill 2, which was approved in September 2015, will provide a mechanism to bridge the widen-
gap between community needs and financing limitations.

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