Case Study 1: The Officer and the Drug Arrest

Name

Institution Affiliation

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**Constitution Amendments to Govern Officer Jone**

The actions of officer Jone would be governed by the Fourth Amendment to the American Constitution. This amendment provides for unreasonable seizure or search of people, their houses, and papers and provides for the security of people. The amendment further states that the right of people shall not be violated without a proper cause of that has to be supported by an Oath or Affirmation, which must describe the people and place to be searched and the things which shall be seized in operation (Legal Information Institute (2015). In my opinion, I support the actions of Officer Jones since he ended up recovering drugs in his search, which warrants the necessity of the entire searching operations. He was able to identify the probable cause because he achieved to determine the circumstances that convinced him that the suspect committed a crime, which is possessing and selling drugs. Although Officer Jones did not witness the actual selling of drugs by the suspect, he still was on the wrong for the possession of the drugs. The concept of probable cause can be experienced at a time when an arrest is being conducted, even when the suspect has been found not in the wrong. A proper probable cause of action is demonstrated when an individual of ordinary caution and prejudice is made to believe that and entertain a strong and an honest suspicion that the suspect is guilty. Probable cause is present as a result of the totality of conditions that are known to the other officers. For example, in Illinois versus Gate 1983, the Supreme Court of US upheld a totality of conditions tests for the determination of probable cause (Miller, 2014).

**Analysis and Validity of Actions of Officer Jones**

The actions of the officer were valid and therefore constitutional. The officer did not unreasonably storm the suspect but relied on credible information that he received, and therefore concluded that there was a justification for the suspect committing a crime. His actions were propelled by the fact that he received information from a source that he considered prudent and trustworthy about an individual that committed a felony. The actions are justified in the Fourth Amendment which states that an officer is not warranted to seize a person or their property unless the officer has a strong belief that comes from a highly credible source that the person has committed a criminal offense (Legal Information Institute (2015). The reception of the information about an individual selling drug is a validation of the actions of Officer Jones, and therefore the search and arrest of the suspect.

**Determination of Whether the Officer Jones Actions Were Justified**

The concept of probable can be determined by the information obtained from a reliable third party, a collaboration of different people and the personal knowledge of an officer based on circumstances and facts available (Miller, 2014). The actions of the officer were justified. The information provided by the reliable third party sufficed for the actions of the officer. An officer can use probable cause according to their knowledge of specific circumstances and facts through the acceptance of information and collaboration with the third party, as it happened in the case of Officer Jones. In this case, Officer Jones used probable cause to search the suspect on the basis of having enough reason for carrying out the search.

References

Legal Information Institute (2015). Fourth Amendment of the U.S. Constitution, An Overview.

 Miller. C (2014) [Beast of Burden: Probable Cause vs. Preponderance of the Evidence in Ferguson](http://lawprofessors.typepad.com/evidenceprof/2014/11/best-of-burden-probable-cause-vs-preponderance-of-the-evidence-in-ferguson.html). Univ. of South Carolina School of Law.