

Container Searches

SIA (Chimel/Belton/Houghton)

Auto Exception (Coolidge/Acevedo)

Plain View, Abandoned, Private Search

SIA v. Auto

SIA

PC in person

at scene
[Coolidge
cops
delayed
too long]

"wingspan"
[auto = passenger
compartment +
passenger's stuff]

all containers
"associated with
the person"
[Robinson/
Chadwick]

Auto

PC in vehicle

at scene
or later

anywhere in
vehicle supported
by PC [nexus]

all containers
[within nexus]
that could hold
item

SIA v. Auto

SIA

PC in person	at scene [Collidge cops delayed too long]	"wingspan" [auto = passenger compartment + passenger's stuff]	all containers "associated with the person" [Robinson/ Chadwick]
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**CATEGORICAL
JUSTIFICATION**

Auto

PC in vehicle	at scene or later	anywhere in vehicle supported by PC [nexus]	all containers [within nexus] that could hold item
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CASE-BY-CASE

Note: both presume an "exigency"

Passengers

- Wyoming v. Houghton (99)
 - even tho' PC in driver only, the "critical element in a reasonable search is not that the owner of the property is suspected of crime but that there is reasonable cause to believe that the specific 'things' to be searched for and seized are located on the property to which entry is sought." Plus, reduced expectations in car and "common enterprise with driver".

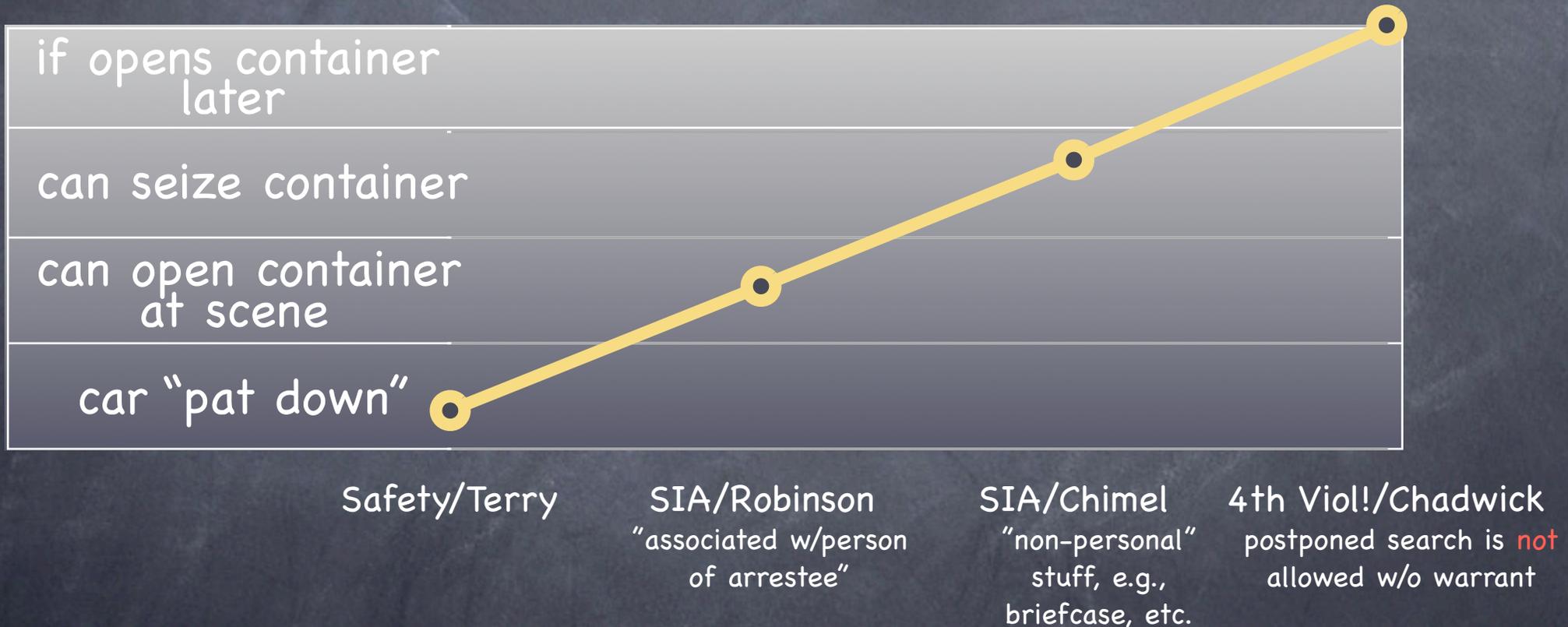
Passengers, cont.

- Maryland v. Pringle (2004) (PC transferred)
 - Pringle was one of 3 in Nissan Maxima at 3:16 a.m. Cops found \$763 of rolled-up cash in glove compartment + 5 plastic baggies of cocaine behind back-seat armrest. All denied ownership of cocaine or \$.
 - Reasonable to conclude "from these facts that any or all three of the occupants had knowledge of, and exercised dominion and control over, the cocaine. Thus a reasonable officer could conclude that there was probable cause to believe Pringle committed the crime of possession of cocaine, either solely or jointly."

Containers in General

- if PC in container itself, can seize -- then get warrant to open (Chadwick)
- but **neither PC in container nor warrant required** if:
 - SIA (& "associated with person of arrestee" — Robinson)
 - container in auto + it could hold a seizable (ie: PC'd) item — "auto exception" (Acevedo)
 - container abandoned (Greenwood; Hodari D), or
 - to extent opened during private search

Containers **not** in automobiles



Containers **in** automobiles

PC in car: delayed search, nexus only

PC in car: nexus (location of PC only)

Arrest: entire passenger compartment

No PC: pat down only

Safety/Terry

SIA/Belton
(categorical:
add'l PC not
needed)

Auto Xcpt'n
(restricted to
location where
seizable item could
be found)

Auto/Acevedo
(ditto)