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Law enforcement officials must be highly skilled in the use of investigative tools and knowledgeable of the intricacies of the law. One error in judgment during initial contact with a suspect can, and often does, impede the investigation. For example, an illegal search or unauthorized questioning may so contaminate the evidence obtained that it will not be admitted into evidence in court. Such errors may result in the release of dangerous criminals.

In addition to losing evidence for prosecution purposes, failing to comply with constitutional mandates often leads to liability on the part of police officers, administrators, or agencies. A thorough knowledge of the U.S. Constitution as interpreted by the courts can reduce unauthorized action and make it possible for officers to act with confidence.

The legal rules under which law enforcement officers must operate as trained professionals are not simple, but neither are they impossible to master. The trend toward uniformity in state and federal laws in the area of criminal justice makes it possible to articulate general standards that may apply in all jurisdictions. However, a state, by statute or by interpretation of its own constitution, may place additional restrictions on the use of evidence. It is, therefore, necessary that police officers, especially investigators and administrators, be familiar with both federal and state laws and court decisions interpreting both state constitutions and the U.S. Constitution.

Due to the federalization of the Bill of Rights, most of the protections of the first eight amendments, which originally restricted the federal government, now apply to the states by way of the Fourteenth Amendment. The United States Supreme Court, using the due process clause of the Fourteenth Amendment as the conduit, has established minimum standards that must be followed by all public law enforcement officials.
After discussing the effects of failing to comply with constitutional mandates and considering the general limitations on police power, emphasis is placed on the common constitutional questions that confront officers when they are called on to enforce the law. In particular, the legal standards relating to detention, arrest, search, questioning suspects, and pretrial identification procedures are discussed.

This book is designed for officers who have the important task of protecting rights, seeking out illegalities, and preparing evidence for use in court. It may be used in departmental training programs as well as in colleges that offer courses for in-service and pre-service officers.

Because the law in this area changes constantly, it is necessary for all criminal justice personnel to keep up to date by reading United States Supreme Court decisions and relevant federal and state court decisions. This edition reflects U.S. Supreme Court decisions up to and including the 2013 term of court. Important cases added to this edition include: Bailey v. United States (2013), Berghuis v. Thompkins (2010), Kentucky v. King (2010), Maryland v. King (2013), and Michigan v. Bryant (2011).

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