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Is a Search of a Vehicle Parked Within the Curtilage of a Home Constitutional?

FACTS:

Officers McCall and Rhodes of the Albemarle County, Virginia, Police Department, in separate incidents, saw, but were unable to apprehend, the driver of an orange and black motorcycle who committed traffic infractions. The officers learned that the motorcycle was likely stolen and in the possession of Ryan Collins. Collins posted photos of the motorcycle on his Facebook profile showing the motorcycle parked at the top of the driveway of a house. Rhodes tracked down the address and saw what appeared to be a motorcycle covered with a tarp parked in a partially enclosed top portion of the driveway that abutted the house. Rhodes walked onto the property, lifted the tarp, took pictures, ran a vehicle search, and confirmed that the motorcycle was stolen. Collins was subsequently arrested for receiving stolen property. He filed a motion to suppress the evidence on the basis that Rhodes had conducted a warrantless search of the motorcycle by trespassing on the curtilage of the house in violation of the Fourth Amendment. Albemarle County argued that it did not need a warrant in light of the so-called automobile exception to the Fourth Amendment which justifies warrantless searches of motor vehicles.

QUESTION:

Does the automobile exception to the Fourth Amendment apply to a warrantless search of a motorcycle parked on the curtilage of a house in violation of the Fourth Amendment which protects against unreasonable searches and seizures?

ANSWER:

ACCORDING TO VIRGINIA STATE COURTS: YES.
The Virginia state courts all found that the warrantless search was justified on various grounds.

ANSWER ACCORDING TO THE UNITED STATES SUPREME COURT: NO.

The US Supreme Court found that the warrantless search violated Collins' Fourth Amendment right to be free from an unreasonable search of his home. The Court traced a long line of cases that has expanded that right to "the area 'immediately surrounding and associated with the home.'" The Court stated that when a law enforcement officer physically intrudes on the curtilage to gather evidence, a search within the meaning of the Fourth Amendment has occurred. The area in question sat behind the front perimeter of the house and was enclosed on two sides by a brick wall and by the house on a third side. The Court found that the automobile exception, based on the recognition that automobiles have "ready mobility" and are subject to pervasive regulation, does not apply to the facts of the case.

Collins v Virginia, 584 US (2018).

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