



The Supreme Court and the Fourth Amendment's Exclusionary Rule

Tracey Maclin

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The application of the Fourth Amendment's Exclusionary Rule has divided the Justices of the Supreme Court for nearly a century. As the legal remedy for when police violate the Fourth Amendment rights of a person and discover criminal evidence through illegal search and seizure, it is the most frequently litigated constitutional issue in United States courts. Tracey Maclin's *The Supreme Court and the Fourth Amendment's Exclusionary Rule* traces the rise and fall of the exclusionary rule using insight and behind-the-scenes access into the Court's thinking.

Based on original archival research into the private papers of retired Justices, Professor Maclin's analysis clarifies the motivations and thoughts that explain the Court's exclusionary rule jurisprudence. He includes a comprehensive scholarly and objective discussion of the reasoning behind the Court decisions, and demonstrates that like other constitutional doctrines, the exclusionary rule is a political mechanism that expands and contracts as the times and Justices change. Ultimately, this book will help readers understand how constitutional law is constructed by judges with diverse political perspectives.

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