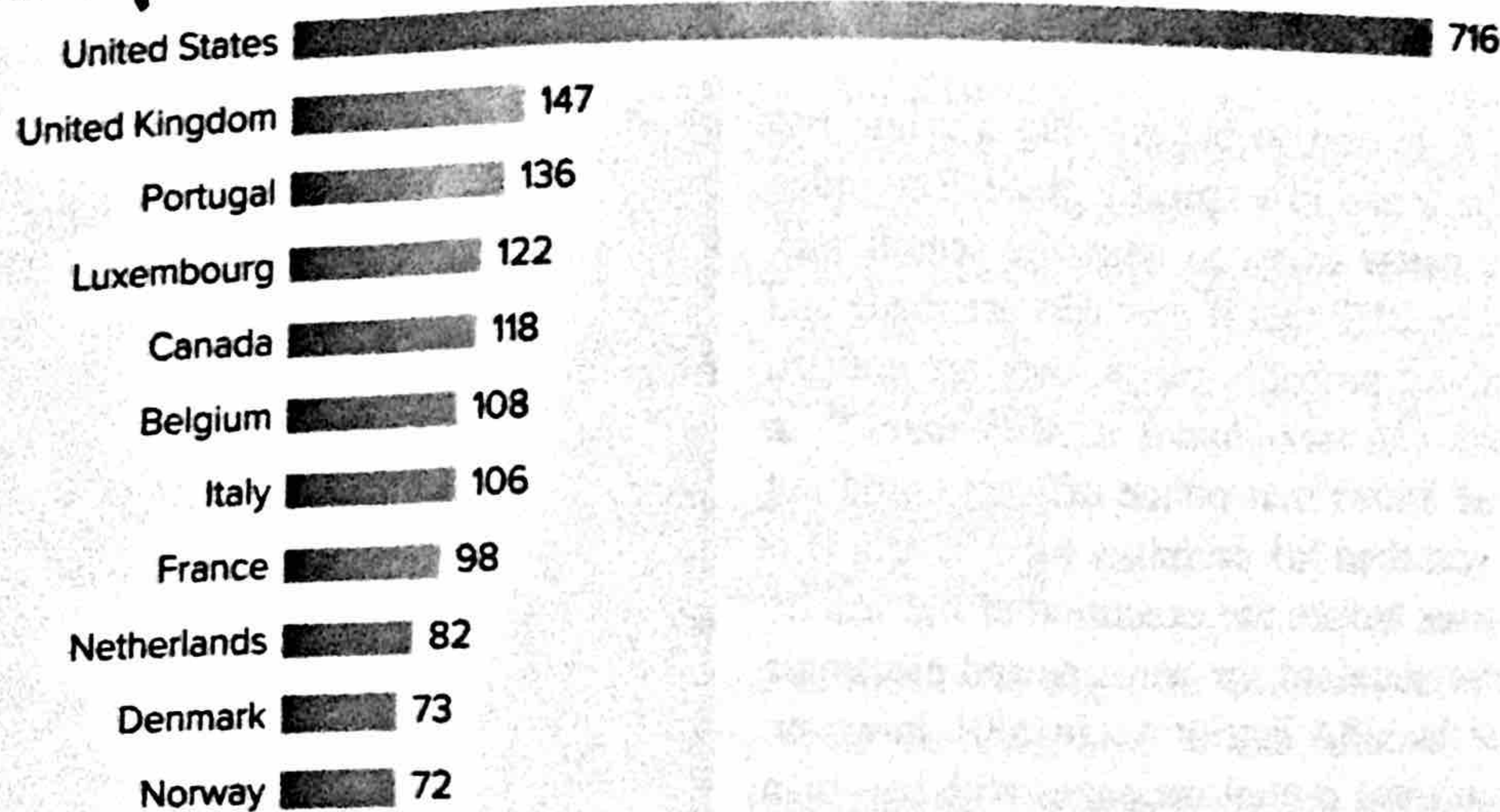


Incarceration Rates Among Founding NATO (Selected European) Members



Incarceration rate (per 100,000 population)

The United States has a much higher incarceration rate than any of the selected European countries.

Source: <http://www.prisonpolicy.org/global/>.

plants growing in a greenhouse that is missing some of its roof panels.⁹² They may not point a thermal imager at a home, however, to detect heat emanating from bulbs used to grow marijuana indoors.⁹³ In 2013, the Court in the case of *Florida v. Jardines* likened the use of a dog sniff at the front door of a marijuana grow house to the use of a thermal imaging device when it invalidated a search warrant obtained on the basis of a positive response by a trained police dog. The Court has generally given the police greater authority to search automobiles because of their ability to leave the jurisdiction of law enforcement officials, and because of the government's interest in regulating auto traffic and safety. In another 2013 dispute, *Florida v. Harris*, the Court upheld the validity of a dog sniff to establish probable cause for the search of a vehicle.

Recently, however, it has not allowed officers at highway checkpoints to look for ordinary criminal wrongdoing such as the possession of illegal drugs.⁹⁴ In the related 2015 case of *Rodriguez v. United States*, it ruled that the police may not prolong traffic stops to wait for drug sniffing dog searches. A police stop exceeding the time needed to handle the matter for which the stop was made violates the Fourth Amendment. The Court also widened its protection of motorists with its 2009 ruling in *Arizona v. Gant*. The majority held that the police may not search the interior of an auto if the occupant has been arrested and cannot gain access to the car. In *United States v. Jones*, the Supreme Court was presented the question as to whether a law enforcement task force could covertly install a GPS tracking device on a defendant's automobile without obtaining a search warrant that led to the discovery of incriminating evidence. In 2012, the Court held that the search was invalid because the government had to occupy private property, the defendant's car, for the purpose of obtaining information. In reaching the decision, the majority of the Court abandoned the expectation of privacy standard it had used in most search cases involving new technological applications and reverted to the old notion of a physical trespass. Finally, in 2013, the Court, in the matter of *Missouri v. McNeely*, refused to make an exception to the Fourth Amendment's warrant requirement when police ordered the forcible drawing of blood from an individual suspected of drunk driving. In the future, the Court may be asked to resolve such difficult questions as to whether private companies such as Apple can be compelled to supply software to unlock stored data on a phone that might include vital information regarding the commission of a serious crime.

exclusionary rule The judicial barring of illegally seized evidence from a trial.

The Supreme Court eventually adopted the **exclusionary rule** that excludes any evidence gathered illegally from consideration at trial, thus removing the incentive for the police to make illegal searches.⁹⁵ The Court has allowed some exceptions to the exclusionary rule, for example, when it believes the police are acting in good faith.⁹⁶ A 2015 mass shooting raised a future issue of whether the government can compel a private company like Apple to supply software to help search the cell phone information of a criminal or suspect that could ultimately jeopardize the privacy of all consumers using the same same technological device.

The Fifth Amendment: Self-Incrimination

The Fifth Amendment protects the accused against self-incrimination, a right that places limits on police interrogation of criminal suspects. Nevertheless, law enforcement officers frequently employed physical or psychological pressure during private interrogation sessions in order to