

Study Guide for Vehicle Searches and Containers

In reading the cases and notes, determine the answers to the following questions and the sources that support these answers. We will then apply the rules to problems in class.

- 1) What are the possible bases for searching a vehicle without a warrant?
- 2) Under what circumstances are warrantless searches of vehicles permitted?
- 3) What are the two policy justifications for warrantless vehicle searches?
- 4) Is the propriety of searching a vehicle without a warrant under the vehicle exception based on a categorical exception or on case-by-case analysis?
- 5) Where in the car can a warrantless search of a motor vehicle extend? Can the trunk be searched? The locked glove compartment?
- 6) Under what circumstances can containers in vehicles be searched?
- 7) What is the scope of a search incident to arrest in a vehicle? Can officers search the locked glove box? the trunk? a package in the passenger compartment?
- 8) Is the propriety of searching a vehicle pursuant to search incident based on a categorical exception or on case-by-case analysis?
- 9) How long after the arrest can the search incident of a vehicle take place?
- 10) What are the requirements for a valid inventory search of a vehicle?
- 11) Can containers be opened in an inventory search? Under what circumstances?
- 12) What additional questions do you have about vehicle and container searches?