

Constitutional Law

Case 1:
High School
Locker
Search

Commonwealth v. Snyder

Fourth Amendment Protection Against Unreasonable Searches and Seizures

OBJECTIVE

To understand how the Fourth Amendment of the United States Constitution protects against warrantless searches and whether this protection extends to a locker search of a high school student.

TOPICS COVERED

- Fourth Amendment of the United States Constitution
- Students' Reasonable Expectation of Privacy
- Search Warrants Supported by Probable Cause
- Balancing School Safety/Disciplinary Policies with Students' Constitutional Rights

Commonwealth v. Snyder

Fourth Amendment Protection Against Unreasonable Searches and Seizures

BACKGROUND

- A teacher informed the principal of a high school that Jeffrey Snyder, a student at the school, attempted to sell illegal drugs (marijuana) to another student.
- Without informing Jeffrey, the principal authorized a search of his locker while he was in class. School administrators found marijuana in his locker.
- Based upon the search, Jeffrey was called into the principal's office. When confronted with the marijuana found in his locker, he confessed to possession of marijuana with intent to sell to other students.
- Jeffrey claimed that the school violated the Fourth Amendment of the United States Constitution by failing to obtain a search warrant before seizing the illegal drugs from his locker.

BEFORE YOU BEGIN

What is the Fourth Amendment of the United States Constitution?

The Fourth Amendment protects persons accused of crimes by requiring a search warrant before government officials can search a person, a home, or any place where a person has a "reasonable expectation of privacy."

What is a "reasonable expectation of privacy"?

Under the Fourth Amendment, the U.S. Supreme Court asserts that a person has a "reasonable expectation of privacy" when: (1) the individual SUBJECTIVELY believes that a particular area is private, such as a car, a locker, a pocketbook, or a home, and (2) OBJECTIVELY, whether society recognizes that expectation as reasonable. As such, the court looks to the subjective intent of the person being searched (for example, did the person in fact believe that a certain area was private?) and to the objective intent as to whether that person's belief of privacy will be recognized by society as a whole.

What is a search warrant?

In the majority of cases, before searching areas where a person has a reasonable expectation of privacy, the government (the police) must obtain written permission from a judge to conduct a search. The police must support their request with facts that show they have extremely good reasons, or "probable cause," to conduct a search. If permission is granted, the court issues a search warrant.

What is Balancing School Safety/ Disciplinary Policies with Students' Constitutional Rights?

In cases of searching students' lockers, the law requires the court to balance the constitutional rights of the student against the need for school officials to keep the school safe and orderly for all students.

ISSUE BEFORE THE COURT

Whether the warrantless search of a student's locker for marijuana was reasonable under the circumstances of the case.

THE FACTS

On December 21, at 12:45 pm, Linda Day, the principal of Monument Mountain Regional High School in Great Barrington, Massachusetts, was told by a faculty member that a student reported being approached by Jeffrey Snyder to purchase marijuana for \$25. The reporting faculty member had worked at the school for approximately 15 years, had extensive contact with students, and many times had provided reliable information to school administrators.

Principal Day asked John F. Canning, the assistant principal, to join her and the faculty member in her office, whereupon the faculty member repeated the information. The faculty member added that the student had reported the attempted sale at about 10:30 am. The student said that Jeffrey showed him a videocassette case that contained three bags of marijuana and that he then put the videocassette case in his book bag.

The administrators decided to locate Jeffrey. Assistant Principal Canning found Jeffrey in the student center, which was crowded with students. From a distance, Canning could not see Jeffrey's book bag. Since he did not know if other students were involved, he did not want to arouse suspicion by approaching Jeffrey in the student center. The two administrators decided to wait until the beginning of the next period (about 1:20 pm) when Jeffrey was scheduled to be in a class and to search his locker for the book bag at that time. It is important to note that the school's student code stated that each student had the right not to have his/her locker subject to an "unreasonable" search.

At approximately 1:20 pm, the two administrators opened the locker using the combination to the locker that was available at the school's main office. They found the book bag, the videocassette case, and three bags containing marijuana. They took these items to Principal Day's office and concealed them behind her desk.

Principal Day located Jeffrey and brought him to her office. There,

The Fourth Amendment to the U.S. Constitution guards against unreasonable searches and seizures when the searched party has a "reasonable expectation of privacy."

in Assistant Principal Canning's presence, Principal Day asked Jeffrey if it was true, as reported to her, that he had offered to sell marijuana in the school. Jeffrey admitted that he had. Jeffrey, who was very upset, said that he could not believe this was happening and had never before engaged in this type of activity.

Jeffrey explained that a friend had given him the marijuana to sell, that he had become troubled about doing it, and he had called his friend to come to the school at 2 pm to take back what he had not sold. Jeffrey admitted that the book bag, the videocassette case, and the bags of marijuana belonged to him. Jeffrey said there were four bags of marijuana but he had sold one for \$25 to a student. Principal Day called Jeffrey's mother, who came to the school, while Assistant Principal Canning called the police.

At trial, Snyder argued that since he had a legitimate expectation of privacy in his locker as per the school code, all evidence taken was illegally seized and not admissible against him.

The Commonwealth argued that there was no reasonable expectation of privacy as to his locker and in the alternative, even if there was, the locker search was valid as school administrators conducted a search of the locker that was reasonable under all the circumstances. In other words, while school administrators must be "reasonable," they are not restricted by the probable cause or warrant requirements of the Fourth Amendment.

*Probable Cause:
Evidence that would
lead a reasonable
person to believe that
a crime was or is being
committed by the
person being accused.*

*In the U.S., the
police (or other law
enforcement officials)
cannot simply search
someone for no reason.
If proper legal steps
are not followed, that
search can be classified
as unreasonable.*

Sources

The case briefing above contains excerpts and direct extractions from the sources noted below that have been combined with the author's own expert legal input. The case has been condensed and formatted from its original content for purposes of this workbook.

Commonwealth v. Snyder, 413 Mass. 521, 597 N.E. 2d 1363 (1992).

Supreme Judicial Court of Massachusetts, Berkshire
August 25, 1992. Opinion written by the Honorable Herbert P. Wilkins.

Review the Case

After reading Commonwealth v. Snyder, answer the following:

1. Identify the Plaintiff(s) in the case.

2. Identify the Defendant(s) in the case.

3. Is this a criminal proceeding or a civil proceeding? Explain.

4. How did the school administrators initially discover that Jeffrey might be selling marijuana?

5. Why did Principal Day give credibility to the reporting teacher regarding Jeffrey's possession of marijuana?

6. Explain the reason(s) the principal and assistant principal did not approach Jeffrey in the student center.

7. Where did the administrators find the combination to Jeffrey's locker?

NAME _____

DATE _____

Review the Case (continued)

8. What did the school's student policy say about searches of student lockers?

9. What did the principal and assistant principal find during their search of Jeffrey's locker?

10. What did Jeffrey do when he was confronted with the evidence against him?

NAME _____

DATE _____

Make the Argument

In order for the judge or jury to render a decision, the following are some of the questions that must be considered:

1. Was the information received by the school administrators reliable? Explain.

2. Did Jeffrey have an "expectation of privacy" in his locker at school? Explain.

3. Was the school's search of the locker justified and reasonable? Explain.

4. Did the school have a reasonable suspicion that a crime was being committed? Explain.

5. Did the school's interest to enforce school policies and adequately discipline its students override the importance of Jeffrey's privacy in his locker?

6. Did the student handbook state that the Defendant had an expectation of privacy in his locker?

NAME

DATE

You Be the Judge

Having reviewed the case and considered the questions involved, decide the case for either the **Plaintiff** or the **Defendant**:

Decision for the Plaintiff



Decision for the Defendant

Commonwealth of Massachusetts

Jeffrey Snyder

Lined writing area for the Plaintiff's decision.

Lined writing area for the Defendant's decision.