

Monday, August 11, 2008

### **How to get relief for an overly aggressive police home search?**

Â Bill of Rights.Â (From the public domain.)Â Â How does one obtain real relief against an overly aggressive police search? Â On August 7, I blogged about such an extremely overaggressive police search in Berwyn, Maryland. However, attorney David Rocah of the American Civil Liberties Union says: "the damages are too low to make it worthwhile to spend the time in court" on a lawsuit against the police for such an overly aggressive search. Â The same article from the Washington ExaminerÂ (apparently related to the San Francisco Examiner) quotes me about the frequency of guilty pleas versus innocent pleas leading to fewer court challenges against such searches. I intended to be speaking in terms of the higher percentage of guilty pleas over not-guilty pleas where the defendant is left to choose between one and the other, and not in terms of cases that get dismissed and consensually inactivated. In any event, fortunately this story continues to spread among members of the public. Jon Katz.

Posted by Jon Katz in Criminal Defense at 00:00