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The Fourth Amendment: Its History and Interpretation, Second Edition

Thomas K. Clancy

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This treatise is an accessible and authoritative resource for scholars, judges, practitioners, and others on the Fourth Amendment. It comprehensively treats Supreme Court case law and offers a structural approach to the Fourth Amendment, addressing foundational questions: What is a search? What is a seizure? What does the Amendment protect? When is it satisfied? When does the exclusionary rule apply? The treatise offers ready access to current doctrine. The historical events and the development of search and seizure principles over time provide perspective. Fourth Amendment jurisprudence is in constant change and this second edition incorporates all Supreme Court developments since the first edition, including important cases on the definition of a "search," searches of vehicles, exigent circumstances, dog searches, and the exclusionary rule. It also adds hundreds of lower court cases.

The second edition includes a new introductory section on digital evidence in Chapter 1, highlighting the increasing importance of such evidence, and has additional treatment of digital evidence throughout. Although the structure of the first edition has been retained, every section of the new edition has new material and many of sections have been substantially revised.

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