

SCOTUS: Pre-Trial Detentions Can be Challenged on *Fourth Amendment* Grounds

On March 21, 2017, Justice Kegan issued a decision in *Manuel vs. City of Joliet*¹ that has both civil and criminal implications. In her opinion, the Justice stated that the *Fourth Amendment* establishes the minimum constitutional standards and procedures not just for arrest, but also for Pre-Trial detentions.

Facts:

Elijah Manuel was riding through Joliet, Illinois in the passenger seat of a car with his brother at the wheel. A pair of Joliet police officers pulled the car over when the driver failed to signal a turn. According to the complaint in the case, one of the officers dragged Manuel from the car, called him a racial slur and kicked and punched him as he lay on the ground. The policemen then searched Manuel and found a vitamin bottle containing pills. The officers suspected that the pills were illegal drugs and conducted a field test. The test came back negative for any controlled substance, leaving them with no evidence that Manuel committed any crime. Still, the officers placed Manuel under arrest and took him to the Joliet station. There, an evidence technician tested the pills once again, and got the same negative result. But the technician lied in his report, claiming that one of the pills was found to be positive for the probable presence of ecstasy. Similarly one of the arresting officers wrote in his report that from his training and experience he knew that the pills were ecstasy. On the basis of these false statements, another officer swore out a criminal complaint against Manuel, charging him with unlawful possession of controlled substances. A county court judge found probable cause to detain Manuel pending trial. The judge relied exclusively on the complaint, which relied on false statements.

While Manuel sat in jail, the Illinois police laboratory tested the pills and the results came back negative for controlled substances. For unknown reasons, Manuel's detention continued for over another month. In total, Manuel remained in custody and spent a total of 48 days in pre-trial detention. More than two years after his arrest, Manuel sued the City of Joliet and the police officers involved in his detention under 42 U.S.C. §1983 claiming damages for unlawful arrest and his unlawful pre-trial detention.

The District Court dismissed Manuel's suit holding that the applicable two-year statute of limitations barred his unlawful arrest claim. The District Court also held that under binding Circuit precedent, pre-trial detentions following the start of a legal process cannot be challenged under the *Fourth Amendment*. Manuel appealed the decision of his unlawful detention claim only. The Court of Appeals affirmed.

Analysis and Holding:

The Supreme Court reversed the original finding, holding Manuel's pre-trial detention could be challenged on *Fourth Amendment* grounds. The Court observed that the *Fourth Amendment* establishes the minimum constitutional standards and procedures not just for arrests but also for detentions. The *Fourth Amendment* has always been thought to define the appropriate process for seizures of persons in criminal cases, including the detention of suspects pending trial. The *Fourth Amendment* is the relevant constitutional provision to assess the deprivations of liberty that go hand in hand with criminal prosecutions. The Court concluded that pre-trial detention can violate the *Fourth Amendment* when it precedes or follows the start of legal process. *The Fourth Amendment*

¹ 580 U.S. ____ (2017) (No. 14-9496).



prohibits government officials from detaining a person absent probable cause, and where legal process has gone forward, but has done nothing to satisfy the probable cause requirement, it cannot extinguish a detainee's *Fourth Amendment* claim.

In this case, because the judge's determination of probable cause was based solely on fabricated evidence, it did not expunge Manuel's *Fourth Amendment* claim.

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