

# Court Bars Search Without Warrant

With President Nixon and searches incidental to arrests were permitted throughout a lookouts on the streets. Court held yesterday that police and Federal agents need not obtain warrants to search a person's home without a warrant.

The Court ruled a search to disprove a conspiracy decision rendered in 1967 and 1969 had that had been used by prosecutors to justify separate searches of "warrantless" to lawful arrests.

Acknowledging that the Court had seen-sawed over the years in its search-and-seizure decisions, the court said it was trying to lay down a rule to guide law enforcement officers in conducting searches at the needs of their personal safety and of staying evidence from destruction.

Under the old decisions giving police the greatest leeway, searches incidental to arrests were permitted throughout a person's home, beginning in 1967. But Justice William Brennan, writing for the majority, said the old cases were "erroneous" and the privilege of a citizen's home against police searches should be preserved. He said that a warrant is required to search a home, but that a warrant is not required if the police are looking for a fugitive or if they have probable cause to believe that a search of the home is necessary to prevent the destruction of evidence.

Defense attorneys have argued for years that police without a warrant should be barred from entering a home to search for incriminating evidence. The true purpose of the

In a 5-4 decision, the court ruled that searches incidental to arrests were permitted throughout a person's home, beginning in 1967. But Justice William Brennan, writing for the majority, said the old cases were "erroneous" and the privilege of a citizen's home against police searches should be preserved. He said that a warrant is required to search a home, but that a warrant is not required if the police are looking for a fugitive or if they have probable cause to believe that a search of the home is necessary to prevent the destruction of evidence.

The Court ruled a search to disprove a conspiracy decision rendered in 1967 and 1969 had that had been used by prosecutors to justify separate searches of "warrantless" to lawful arrests.

Acknowledging that the Court had seen-sawed over the years in its search-and-seizure decisions, the court said it was trying to lay down a rule to guide law enforcement officers in conducting searches at the needs of their personal safety and of staying evidence from destruction.

Under the old decisions giving police the greatest leeway, searches incidental to arrests were permitted throughout a person's home, beginning in 1967. But Justice William Brennan, writing for the majority, said the old cases were "erroneous" and the privilege of a citizen's home against police searches should be preserved. He said that a warrant is required to search a home, but that a warrant is not required if the police are looking for a fugitive or if they have probable cause to believe that a search of the home is necessary to prevent the destruction of evidence.