

Analysis of Influential Supreme Court Decisions

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Reasonable Suspicion Terry v. Ohio

The primary legal concepts established or clarified in the Supreme Court's Terry v. Ohio case were the reasonable suspicion standard and the Terry stop. Both of these standards are crucial for deciding when and why you can stop someone. In Terry v. Ohio, a detective stopped two men after observing them acting suspiciously. The reasonable suspicion standard established by this case means that an officer may stop you temporarily to investigate, so long as they have specific articulable facts that point to criminal activity.

In Terry v. Ohio, on the afternoon of October 31st, 1963, detective Martin McFadden, then employed by the Cleveland police department, witnessed two men whom he would later learn were Chilton and Terry standing on the corner of Huron Road and Euclid Avenue. Officer McFadden would position himself at the store entrance, about 300 to 400 feet from the two individuals. He witnessed a third male briefly meet up with the other two before departing. He saw both Chilton and Terry make "roughly a dozen" trips back and forth in front of the storefront. Detective McFadden found this behavior suspicious and spoke with the two individuals. They "mumbled something," after which Detective McFadden spun Terry around and patted down his clothing, where he found an illegally possessed firearm. (Smith et al., 2022)

The Court analyzed the events that occurred in this case and concluded that while the Supreme Court "held that if a police officer reasonably believes that a person is armed and presently dangerous, the officer may stop and frisk the person for weapons. The Court stated that the officer's decision must be based on "specific reasonable inferences" drawn from the facts and circumstances, rather than on a mere hunch." (Reasonable Suspicion). This decision changed policing, as prior you were rarely able to make stops unless probable cause of a crime was

already established; with this standard, you could now make that stop much earlier. This standard is also essential when analyzing the Fourth Amendment, as you are being seized during the stop.

An example of this being applied could be if you were an officer with the Eau Claire PD. You notice a white male running up Water Street wearing all black clothing and a ski mask at 10:00 pm, when you have been informed there has recently been an unusually high number of burglaries in the area, where the cameras capture footage of a person of male stature, in all black and a ski mask, fleeing the scene. As you have someone who matches the description and is in the same time and area as previous accidents, you now have reasonable suspicion to stop them. If, while preventing them, you were to notice a bulge in the side of their pants that looked like a knife, you may now frisk the outside of their clothing only for weapons.

Rodriguez v. United States and Prolonged Traffic Stops

In the Supreme Court case of *Rodriguez v. United States*, the Court once again analyzed reasonable suspicion and the legal duration of a stop. This event occurred on March 27th, 2012, when a Nebraska state patrolman, Officer Struble, performed a routine stop on a vehicle for operating on the shoulder of the highway. Officer Struble issued a warning to Mr. Rodriguez, the vehicle operator, for the shoulder violation. Officer Struble asked Mr. Rodriguez for permission to walk his police K-9 around the vehicle. At which point Mr. Rodriguez refused the voluntary search of his car. Officer Struble kept Mr. Rodriguez on the stop until another officer arrived. After the secondary officer arrived, Officer Struble led his K-9 around the vehicle, where he alerted to drugs. After the dog was alerted, a large bag of methamphetamine was located.

The Supreme Court in this case of *Rodriguez v. United States* decided that "Absent reasonable suspicion, extension of a traffic stop to conduct a dog sniff constitutes an unreasonable seizure." (*Rodriguez V. United States*, 575 U.S. 348 (2015)). They went on to

clarify that a traffic stop is essentially a Terry stop, meaning that the length of time that you are allowed to take only extends to the reasonable amount of time it would take to conclude the mission of the stop. Meaning that in this case, as Officer Struble kept Mr. Rodriguez past the amount of time it took him to conclude the stop and did not have reasonable suspicion of another crime, he violated Mr. Rodriguez's Fourth Amendment right against searches and seizures, as he was seized longer than needed.

An example of this would be if I were to stop that same suspected burglar from the previous example from given in Terry v. Ohio, the instant I was able to get confirmation that it was in fact not him from witnesses or by verifying that his height was different from those who committed the crimes, I no longer have reasonable suspicion any longer to hold him, if I were to continue to keep him it would be a violation of his fourth amendment right against searches and seizures.

Comparing Terry and Rodriguez

When comparing Terry v. Ohio and Rodriguez v. United States, it is vital to keep in mind the implicit differences: Terry was stopped on foot, whereas Rodriguez was in a vehicle on the side of a highway. The most striking similarity between the two cases lies in the initial stop, which was valid in both. The differences between them begin with how Rodriguez was made to sit and wait even after he was given his warning. Whereas in Terry, Detective McFadden had risen to the level of probable cause after the discovery of the firearm on Mr. Terry. The legal implications of comparing these two cases are simply that, while Terry v. Ohio established the standard of reasonable suspicion, Terry stops, Rodriguez v. United States clarified what reasonable suspicion is and how long a Terry stop may last. Without the changes made with the

case of *Rodriguez v. United States*, there are many circumstances in which officers would hold individuals past the reasonable time of the initial stop to try to find another violation.

Katz v. United States and the Reasonable Expectation of Privacy

In the Supreme Court's *Katz v. United States* decision, the Court elaborated on the reasonable expectation of privacy standard and defined what constitutes privacy. In this case, *Katz v. United States*, the Federal Bureau of Investigation had been listening in on phone conversations of an individual they had suspected of illegal gambling over the phone. The Court's reasonable expectation of privacy means that, so long as the two standards set forth by Justice Harlan in this case are met, the individual has a Fourth Amendment expectation of privacy.

On February 19, 1965, the FBI had suspected Charles Katz of illegal interstate phone gambling. Mr. Katz frequently used the same phone booth, almost daily. Once the FBI agents discovered this, they placed a microphone outside the phone booth and waited for Katz to enter. Once Katz entered the booth and had shut the door behind him, with the phone pulled tight up to his mouth to make it more difficult for anyone to decipher what he was saying, he proceeded to make several phone calls, partaking in these illegal bets, after which, with their evidence, the FBI arrested Mr. Katz. (*Katz V. United States* | Research Starters | EBSCO Research)

The Court analyzed the events of this case and eventually found that the government's actions, while at the time permissible under the standard established in 1928 by *Olmsted v. United States*, in which the Court held that the Fourth Amendment does not protect conversations. As such, the Court established "The Government's eavesdropping activities violated the privacy upon which petitioner justifiably relied while using the telephone booth, and thus constituted a 'search and seizure' within the meaning of the Fourth Amendment." (*Katz V.*

United States, 389 U.S. 347 (1967)). Due to this decision shifting the expectation of privacy, the Court set forth two standards that must be met for someone to have that expectation. The first being that a person has exhibited an actual subjective expectation of privacy. Mr. Katz did so in this case by shutting the booth door behind him; he did not intend to be overheard or interrupted. The second standard is that society as a whole must recognize that the expectation of privacy in the first standard is reasonable. As a society, anyone in the mid-20th century would expect not to be listened in on, especially with the phone booth door shut and their mouth covered so they could not be read. (Katz and the Adoption of the Reasonable Expectation of Privacy Test)

An example of this could be if an officer were to walk onto your property where it is obvious that curtilage extends, due to you having a fence surrounding the area, obvious maintenance and use, and the proximity to the home, where it is roughly 400 feet from the house to the fence and property line on all sides. If the officer were walking up to your door to knock with routine business, such as an overgrown lawn, they must stay on the lawn. But as in our example, the officer wanders around the property without consent from anyone, eventually finding drug paraphernalia; this would be inadmissible as the property had a reasonable expectation of privacy as established by *Katz v. United States*, and the Fourth Amendment.

California v. Greenwood and Trash Searches

In the Supreme Court Case of *California v. Greenwood*, the Court once again took up the topic of the reasonable expectation of privacy only twenty years after the *Katz* decision. In 1984, the local police in Laguna Beach, California, received an anonymous tip that a local man, Billy Greenwood, was selling substances out of his home. The officers, however, did not have any evidence other than the report of the alleged offence, and as such, they were unable to obtain a warrant. At that point, when they failed to obtain the warrant, the department asked their local

trash company to collect any garbage from Mr. Greenwood's home. Greenwood would commonly leave his garbage in bags at the curb outside his home. The officers searched the bags given to them, at which point they found evidence of drug use, and were subsequently able to obtain a warrant to search the home for more concrete evidence. After searching the house, they found the evidence needed to arrest Mr. Greenwood; however, while he was out on bail, the officers searched his trash again, at which point they found more incriminating drug evidence. (California V. Greenwood | Research Starters | EBSCO Research)

In this case, the Supreme Court held that, while the trash is at the curb, there is no reasonable expectation of privacy because it is "readily accessible to animals, children, scavengers, snoops, and other members of the public." further more, "Respondant placed the garbage on the curb for a 3rd party to take possession, at which point the party could have sorted threw it, and turned it over to police." (California V. Greenwood, 486 U.S. 35 (1988)). This meant that, because society at that curb lacked expectations of privacy, possession was given to the third party. Most of the time, trash does not fall within the Fourth Amendment's purview.

An example of this case law being applied correctly would be in a scenario where an officer receives a call about drugs, as was the case here, and it is trash collection day. As it is collection day, Mr. Smith, the suspect in the drug-dealing case, brings his garbage out to the curb, then leaves it unattended. As the curtilage does not extend to the street where the curb is, the trash can is against it, and, as it is unattended, anyone could touch it or sift through it, whether it be your neighbors or the friendly neighborhood raccoon. These factors, along with the fact that he left it there for the garbage company to take possession of, imply that the garbage company could have found it after taking possession. As such, in this example, the officer may legally search the contents of the trash. In contrast, if the can housing the trash were left inside

the garage, the officer may not enter the garage, as it is part of the home's curtilage and has an expectation of privacy. If this officer were to go into the garage to find the evidence, it would be inadmissible.

Comparing Katz and Greenwood

Both *Katz v. United States* and *California v. Greenwood* changed the interpretation of the reasonable expectation of privacy as established under the Fourth Amendment. While in *Katz*, the Court expanded the power of the expectation of privacy. In *Greenwood*, it used the *Katz* case's methods to determine whether there was a reasonable expectation of privacy. Justice Harlan established two methods for determining whether an individual has a right to privacy in *Katz*. The justices in the case of *Greenwood* established that neither of the *Katz* standards for an expectation of privacy was present, due to society's lack of expectation that their trash would remain private while at the curb, and the transfer of possession to another party. In comparison, *Katz* had met both standards by shutting the door to the phone booth and making it difficult to see his mouth; he expected privacy, and society as a whole would expect privacy when such measures are taken.

Fourth Amendment Implications

In combination, *Terry v. Ohio*, *Rodriguez v. United States*, *Katz v. United States*, and *California v. Greenwood* outline a practical, real-world framework for how the Fourth Amendment regulates police conduct during investigations. *Terry* establishes that officers do not need probable cause to briefly detain and frisk a person, so long as they can point to specific, articulable facts supporting reasonable suspicion of criminal activity and a concern for officer safety. This gives officers an important proactive tool, but it is also deliberately limited to a quick stop and an outer-clothing pat-down for weapons, not a full search for evidence. *Rodriguez*

reinforces those limits by holding that an officer cannot stretch a lawful traffic stop beyond the time reasonably needed to handle the original traffic violation unless new reasonable suspicion arises. Even something as familiar as a K-9 sniff cannot be added on “just in case” if it measurably prolongs the stop without additional justification. Together, these two cases show that the Fourth Amendment allows officers to act on less than probable cause when safety and crime prevention are at stake, but it also draws a clear line on the scope and duration of these encounters.

Katz and *Greenwood* apply the same balancing approach to privacy questions, but in very different ways. In *Katz*, the Court shifted focus away from physical trespass and toward whether a person has a reasonable expectation of privacy that society is prepared to recognize as legitimate. By treating the phone booth as a private space for conversation, the Court emphasized that the Fourth Amendment protects people, not just places or physical items, and that the government must generally obtain a warrant to intrude on that kind of privacy. *California v. Greenwood* pulls in the opposite direction by ruling that trash left at the curb is exposed to the public and third parties, so there is no reasonable expectation of privacy in its contents once it is placed out for collection. That decision makes it clear that when individuals voluntarily expose their property to public view or control, the Fourth Amendment offers far less protection. Overall, these four decisions show that the Fourth Amendment is not an absolute barrier to police action but a set of structured limits that officers must understand and follow. Reasonable suspicion can justify brief stops and protective frisks, but it does not justify unlimited searches or prolonged detentions. Likewise, some spaces and information, like private conversations in *Katz*, receive strong constitutional protection, while items exposed to the public, like trash in *Greenwood*, do not. For law enforcement, these cases provide concrete guidance on when they

may act, how long they may detain someone, and what they may search or observe without violating the Constitution. For citizens, they define when government intrusion crosses the line into an unreasonable search or seizure, reinforcing the Fourth Amendment's continued role in shaping both everyday policing and the boundaries of individual privacy.

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