Sixth Circuit Upholds Evidence in US v. Daniel: Examining the Good-Faith Exception in Probable Cause

Description

Todayâ??s case comes to us from the Sixth Circuit Court of Appeals decision in *US v. Daniel* [1]. For todayâ??s training, we will consider an officerâ??s reasonable reliance on probable cause in the context of a search warrant, while exploring the boundaries of the good-faith exception.

This case made its way to the Sixth Circuit after the defendant, Alejandro Daniel, was indicted for conspiracy to possess with intent to distribute one kilogram or more of a controlled substance containing heroin. Daniel moved to suppress the evidence recovered from a search that led to his charges, arguing that the search and seizure of his vehicle were not supported by probable cause and contained material omissions.

The district court ultimately denied the motion to suppress, and Daniel entered a guilty plea.

On appeal to the Sixth Circuit, the defendant challenged the district courtâ??s denial of his motion to suppress the evidence, disputing the legitimacy of the search warrant, citing a significant omission and a lack of probable cause.

Hearing the case on appeal, the Sixth Circuit affirmed the lower courtâ??s denial of the motion to suppress the evidence because the officers in this case reasonably relied on the search warrant in good faith.

Letâ??s start with the facts.

In the early morning of July 22, 2020, agents from the Miami Valley Bulk Smuggling Task Force began surveillance of a hotel located in an area reputed for activities linked to drug trafficking and money laundering.

While conducting the surveillance operation, agents noticed a silver Dodge Charger parked in the hotel parking lot. The California license plate prompted the agents to check if there were any border crossings associated with the vehicle, ultimately revealing that the Dodge had entered the US from Mexico on July 14, driven by individuals named Jermaine Bounds and Daniel.

The agentsâ?? review of law enforcement databases indicated that Daniel had previously been stopped with a small quantity of marijuana at a border crossing, while Bounds had an earlier drug-related infraction on his record along with an active arrest warrant for a traffic violation. Surprisingly, neither individual was listed as a guest at the hotel.

As the agents continued surveillance, they observed a woman, Alexis Iniguez, who was retrieving dog supplies from the vehicleâ??s trunk. Iniguez was registered at the hotel and had a history of several crossings at the US-Mexico border. Later, Iniguez was seen with the two individuals approaching the Dodge Charger. She entered the Charger, and the two men got into a Kia Soul.

Agents followed the two vehicles, as both cars proceeded to a location at the crossroads of Fairview Avenue and Mayfair Road in Dayton.

Here, the agents observed Daniel acting suspiciously, extensively inspecting both the passenger and driverâ??s area of the Charger before walking away with Iniguez, leaving Bounds to watch the Charger from the parked Kia Soul.

Iniguez and Daniel realized they were being followed by Agent Miller, prompting them to separate to avoid detection.

Bounds was unresponsive when approached by agents, and Daniel denied any involvement, but Iniguez admitted to being hired by Daniel to transport a vehicle from California to Dayton.

She told the agents that she started this journey on July 19, with Bounds and Daniel following her in the Kia Soul, the vehicle they made her rent. The next day, the group met at a hotel in Arizona, where Daniel directed her to drive the Dodge Charger to Dayton.

When the trio arrived in Dayton, the two men made her rent two hotel rooms under her name. Despite her suspicions about the jobâ??s legality, she told the officers that her financial difficulties motivated her to proceed.

Iniguez consented to a search of both the vehicle and the hotel rooms. During the consent searches, agents found a minimal amount of marijuana and paraphernalia in the room occupied by Bounds and Daniel, but an initial search of the Dodge Charger, spanning less than ten minutes, turned up nothing incriminating.

Despite this, the agents opted to impound the car. Agent Leslie later prepared an affidavit which led to a state court judge issuing a warrant for a thorough search of the Charger.

This subsequent search revealed a secret compartment within the carâ??s dashboard housing a significant quantity of a substance suspected to be a mixture of fentanyl or heroin, amounting to three kilograms.

Daniel, now facing charges of conspiracy to possess and distribute substantial quantities of controlled substances, contested the validity of the search warrant.

Letâ??s take a moment to briefly review key concepts relevant in todayâ??s training, and further break down the specifics included within the Officerâ??s affidavit.

As we know, the Fourth Amendment acts as a safeguard against unreasonable searches and seizures, necessitating that all search warrants be grounded in probable cause.

The framework for understanding our analysis here is established by three seminal cases.

As highlighted in the landmark case, *Illinois v. Gates*, the threshold for probable cause requires only a probability or substantial chance of criminal activity, not an actual showing of such activities [2]. In *Davis v. United States*, the Court clarified that if police obtained evidence via a search that lacked probable cause, courts may suppress that evidence under the exclusionary rule [3]. However, per *United States v. Leon*, the exclusionary rule does not apply where police relied in good faith on a warrant later found

to be insufficient, provided that the officerâ??s reliance was objectively reasonable [4]. For officers, the general takeaway from this case is that when officers discover the evidence after obtaining a warrant, even if the warrant lacked probable cause, the good faith exception precludes suppression.

But it is critical for us to remember that the good-faith protection is not absolute, as the Sixth Circuit in *United States v. Washington* limited this rule [5].

The court clarified that the good-faith exception doesnâ??t apply, and evidence might be excluded if:

1. the warrant affidavit contains statements known or ought to be known as false;
2. the judge failed to fulfill their role adequately;
3. the affidavit relied on â??bare bonesâ?• evidence or lack any indication of probable cause;
4. the warrant was so obviously insufficient that it would be unreasonable for officers to consider it valid.

Letâ??s look at the Sixth Circuitâ??s analysis of this case.

On appeal, the court considered whether one particular purported omission was significant enough to change the probable cause and good-faith analyses.

The court found that it was not.

The Sixth Circuit affirmed the district courtâ??s denial of the motion to suppress the evidence by relying on the good-faith exception.

After reviewing the affidavit, the Sixth Circuit found that even if the omitted results from the first, unsuccessful vehicle search were included within the affidavit, this inclusion would not have altered the overall circumstances as established by additional information within the affidavit.

The court found that the affidavitâ??s omission of the initial searchâ??s fruitless results did not amount to a deliberate falsehood or demonstrate reckless disregard for the truth, to the extent that it would negate the applicability of the good-faith exception.

The court further reasoned that the outcome of the first car search didnâ??t reduce the probable cause to the extent that would prevent officers from relying on the issued warrant in good faith. The court emphasized that the brief nature of the initial search, which overlooked a concealed compartment where evidence was later found, doesnâ??t imply any bad faith on the officersâ?? part.

What should officers take away from todayâ??s legal update?

The Sixth Circuitâ??s ruling emphasized that the good-faith exception continues to apply, even when certain details, such as an initially fruitless search, are omitted from the affidavit, as long as these omissions donâ??t amount to deliberate falsehoods or a reckless disregard for the truth. It reflects an acknowledgment of the realities of fieldwork, where not all searches immediately yield results.

In this context, the court appreciated the brief nature of the initial search, which inadvertently missed a hidden compartment containing substantial evidence, thus not implicating any bad faith from the officers involved.

Remember, while the good-faith exception has been a cornerstone in supporting officersâ?? actions, itâ??s not without its boundaries. We must ensure that our actions remain aligned with procedure, to avoid potential pitfalls of â??bare bonesâ?• evidence or reliance on obviously insufficient warrants.

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