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PLA 1103

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Brief: In class Assignment

*Richards v. Wisconsin*  
520 U.S. 385, 137 L.Ed.2d 615 (1997)

**Judicial History:**

Richards was convicted by the Wisconsin Circuit Court of possession of cocaine and a writ of certiorari was granted. Motion to suppress evidence was denied. The Wisconsin Supreme Court affirmed.

**Facts:**

After procuring a search warrant excluding authorization for entry without knocking, officers arrived at Richards' hotel room to search for drugs and paraphernalia. Officer Pharo, dressed as a maintenance man and accompanied by a uniformed officer knocked on Richards' motel room. Pharo cracked the door and saw Pharo and the uniformed officer. Richards slammed the door and the officers then announced themselves as law enforcement while kicking the door down to gain entry. After entering the room, officers saw Richards attempting to flee through a window, and confiscated cash and cocaine hidden in the bathroom. Richards was arrested for drug possession.

**Issue:**

1. Does the no knock and announce rule apply to drug felony cases?

**Rules:**

The Fourth Amendment to the U.S. Constitution

Amdt 4.3.2.2.1.4: Knock and Announce Rule

*Richards v. Wisconsin*, 520 U.S. 385 (1997)

**Analysis:**

The officer's decision not to knock and announce their presence and purpose was justifiably reasonable due to the fact that it was a felony drug case in which their detected presence and purpose could not have been forewarned, as doing so would have compromised the evidence used in the investigation.

**Holding:**

The Wisconsin Supreme Court affirmed the lower court ruling.