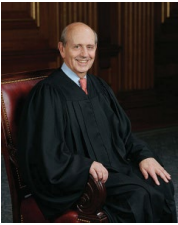


TABLE 9.2

Today's Supreme Court

JUSTICE	VIEWS	QUOTE FROM A JUDICIAL DECISION
John Roberts 	Conservative	When police mistakes leading to an unlawful search are the result of isolated negligence attenuated from the search, rather than systemic error or reckless disregard of constitutional requirements, the exclusionary rule does not apply. <i>Herring v. United States</i> (07-513)
Samuel Alito 	Conservative	It is one thing for the criminal "to go free because the constable has blundered" . . . (Cardozo, J.). It is quite another to set the criminal free because the constable has scrupulously adhered to governing law. Excluding evidence in such cases deters no police misconduct and imposes substantial social costs. We therefore hold that when the police conduct a search in objectively reasonable reliance on binding appellate precedent, the exclusionary rule does not apply. <i>Davis v. United States</i> (09-11328)
Stephen Breyer 	Liberal	Our examination of history and purpose thus reveals nothing special enough about the job or about its organizational structure that would warrant providing these private prison guards with a governmental immunity. The job is one that private industry might, or might not, perform; and which history shows private firms did sometimes perform without relevant immunities. The organizational structure is one subject to the ordinary competitive pressures that normally help private firms adjust their behavior in response to the incentives that tort suits provide—pressures not necessarily present in government departments. <i>Richardson v. McKnight</i> (96-318)
Ruth Bader Ginsburg 	Liberal	Skilling failed to establish that a presumption of prejudice arose or that actual bias infected the jury that tried him. Jurors, the trial court correctly comprehended, need not enter the box with empty heads in order to determine the facts impartially. <i>Skilling v. United States</i> (08-1394)