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Search and Seizure

A Treatise on the Fourth Amendment

Sixth Edition

by Wayne R. LaFave

Enclosed is the 2025-2026 supplement for Search and Seizure: A Treatise on the Fourth Amendment. Please note that, for ease of handling, the materials in this shipment may ship in more than one box.

Filing Instructions

REMOVE and RECYCLE the 2024-2025 supplements.

PLACE the new 2025-2026 supplements in the back of their respective volumes.

Highlights

The 2025-2026 update to LaFave Search and Seizure: A Treatise on the Fourth Amendment expands discussion of a number of court decisions reflecting the current state of Fourth Amendment law, including

- §2.3(g) Despite holding that the pole camera surveillance of the exterior of [defendant]'s home did not constitute a Fourth Amendment search, the Seventh Circuit stated that it was “not without unease about the implications of that surveillance for future cases,” stating that “[t]he eighteen-month duration of the government's pole camera surveillance—roughly four and twenty times the duration of the data collection in Carpenter and Jones, respectively—[wa]s concerning, even if permissible.”
- §4.4(b) In a district court case within the Third Circuit the issue was whether it was ever possible for an officer to recklessly omit a fact when he is aware of the fact but does not even realize he has omitted it due to his carelessness—or whether, instead, an officer who lacks such subjective awareness of making the omission necessarily does not make it with a reckless disregard for

the truth as a matter of law. After considering controlling Third Circuit precedent, the district court concluded that such omissions are nevertheless reckless.

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Search and Seizure: A Treatise on the Fourth Amendment, is also available in e-book format.

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