

Highlights to the 2026-2027 Edition of Wharton's Criminal Procedure

New features and recent developments included in this 2026-2027 Edition include updated statutes and rules to reflect revised statutory sections and current case law throughout the content. In addition, the following notable changes have been made with this new edition:

- New sections on the right to counsel during trial, including a discussion of *Villarreal v. Texas*, 1146 S. Ct. 758 (2026), in which the Supreme Court held that although the Sixth Amendment precludes a court from barring all communication between a defendant and counsel, when a defendant testifies at trial, a court may limit advice from counsel aimed at influencing their testimony in light of the testimony already given.
- A discussion of *Barnes v. Felix*, 605 U.S. 73 (2025), in which the Supreme Court reaffirmed its prior holdings that a police officer's use of deadly force violates the Fourth Amendment when it is not objectively reasonable, considering the totality of the circumstances, and rejecting the "moment of threat" rule imposed by the lower court.
- A discussion of *Case v. Montana*, 145 S. Ct. 500 (2026), in which the Supreme Court made clear that police are not required to demonstrate probable cause when they enter a home to render emergency aid.
- A discussion of *State v. Washington*, 307 A.3d 1 (N.J. 2024), where the New Jersey Supreme Court held that witnesses who have made a prior identification should not be shown photos of the defendant during trial preparation unless the party can demonstrate a good reason to do so and prepares and discloses a written record of what had occurred.