Maryland Illegal Search and Seizure Attorneys

If you have been a victim of an illegal search and seizure you need to discuss your situation with a competent criminal lawyer familiar with both Federal and Maryland search and seizure rules. Utilizing these rules in criminal defense is one tool that should be considered in your defense.

How are Search and Seizure Defined?

A search and seizure can occur in all types of cases and in different ways. Searches can include, examination of a cell phone or computer, search of a home, office or vehicle or examination of your person, briefcase, purse or suitcase as well as your pockets. Seizures include traffic stops, arrests, taking property of any sort, and DNA warrants to name a few.

These actions are illegal if there is no probable cause or any consent or permission without a warrant signed by a judge or magistrate describing the place, person, or things to be searched or seized. Do keep in mind that the legal standard for whether a search is valid is subject to change.

Understanding Maryland Search and Seizure Laws

Under normal circumstances a properly executed search warrant is required for a legal search. The search warrant must be accompanied by a sworn affidavit describing reasonable probability that the results or proof or evidence of a crime, will be found at a specific place at a specific time.

Certain circumstances may allow that a search may be legally conducted without a search warrant, such as search incident to an arrest, or “inventory” search of a vehicle under various circumstances, or a limited search for a weapon may also be permissible.

What is Probable Cause?

A probable cause to search exists when facts and circumstances known to the law enforcement officer provide the basis for a reasonable person to believe that a crime has been committed at the place to search or that evidence of a crime exists at the location.

The US Supreme Court defines probable cause as “where the facts and circumstances within the officers’ knowledge, and of which they have reasonably trustworthy information, are sufficient in themselves to warrant a belief by a man of reasonable caution that a crime is being committed.”

Expectation of Privacy

In Maryland, it remains legal to conduct video surveillance on your property, so long as they are places where people do not expect privacy.

Consult a Maryland Illegal Search and Seizure Attorney

When you have suffered an illegal search and seizure you should consult with an experienced Maryland criminal attorney as soon as possible.

What matters to you, matters to us. For over five decades, JGL attorneys have fought to improve the future of families, the arc of careers, the success of business, and your most basic human rights. The attorneys of JGL take your business, family, and personal

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issues as personally as you do. We relentlessly pursue the outcomes you desire. If you need guidance from a Maryland criminal attorney, regarding illegal search and seizure, please contact JGL.

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