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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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FLORIDA *v.* WHITE

CERTIORARI TO THE SUPREME COURT OF FLORIDA

No. 98–223. Argued March 23, 1999– Decided May 17, 1999

Two months after officers observed respondent using his car to deliver cocaine, he was arrested at his workplace on unrelated charges. At that time, the arresting officers seized his car without securing a warrant because they believed that it was subject to forfeiture under the Florida Contraband Forfeiture Act (Act). During a subsequent inventory search, the police discovered cocaine in the car. Respondent was then charged with a state drug violation. At his trial on the drug charge, he moved to suppress the evidence discovered during the search, arguing that the car's warrantless seizure violated the Fourth Amendment, thereby making the cocaine the "fruit of the poisonous tree." After the jury returned a guilty verdict, the court denied the motion, and the Florida First District Court of Appeal affirmed. It also certified to the Florida Supreme Court the question whether, absent exigent circumstances, a warrantless seizure of an automobile under the Act violated the Fourth Amendment. The latter court answered the question in the affirmative, quashed the lower court opinion, and remanded.

Held: The Fourth Amendment does not require the police to obtain a warrant before seizing an automobile from a public place when they have probable cause to believe that it is forfeitable contraband. In deciding whether a challenged governmental action violates the Amendment, this Court inquires whether the action was regarded as an unlawful search and seizure when the Amendment was framed. See, *e.g., Carroll* v. *United States*, 267 U. S. 132, 149. This Court has held that when federal officers have probable cause to believe that an automobile contains contraband, the Fourth Amendment does not require them to obtain a warrant prior to searching the car for and seizing the contraband. *Id.*, at 150–151. Although the police here lacked probable cause to believe that respondent's car contained contraband, they

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had probable cause to believe that the vehicle *itself* was contraband under Florida law. A recognition of the need to seize readily movable contraband before it is spirited away undoubtedly underlies the early federal laws relied upon in *Carroll*. This need is equally weighty when the *automobile*, as opposed to its contents, is the contraband that the police seek to secure. In addition, this Court's Fourth Amendment jurisprudence has consistently accorded officers greater latitude in exercising their duties in public places. Here, because the police seized respondent's vehicle from a public area, the warrantless seizure is virtually indistinguishable from the seizure upheld in *G. M. Leasing Corp.* v. *United States*, 429 U. S. 338, 351. Pp. 3–7.

710 So. 2d 949, reversed and remanded.

THOMAS, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and O'CONNOR, SCALIA, KENNEDY, SOUTER, and BREYER, JJ., joined. SOUTER, J., filed a concurring opinion, in which BREYER, J., joined. STEVENS, J., filed a dissenting opinion, in which GINSBURG, J., joined.