

THOMAS, J., dissenting

**SUPREME COURT OF THE UNITED STATES**

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No. 99–1030

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CITY OF INDIANAPOLIS, ET AL., PETITIONERS *v.*  
JAMES EDMOND ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE SEVENTH CIRCUIT

[November 28, 2000]

JUSTICE THOMAS, dissenting.

Taken together, our decisions in *Michigan Dept. of State Police v. Sitz*, 496 U. S. 444 (1990), and *United States v. Martinez-Fuerte*, 428 U. S. 543 (1976), stand for the proposition that suspicionless roadblock seizures are constitutionally permissible if conducted according to a plan that limits the discretion of the officers conducting the stops. I am not convinced that *Sitz* and *Martinez-Fuerte* were correctly decided. Indeed, I rather doubt that the Framers of the Fourth Amendment would have considered “reasonable” a program of indiscriminate stops of individuals not suspected of wrongdoing.

Respondents did not, however, advocate the overruling of *Sitz* and *Martinez-Fuerte*, and I am reluctant to consider such a step without the benefit of briefing and argument. For the reasons given by THE CHIEF JUSTICE, I believe that those cases compel upholding the program at issue here. I, therefore, join his opinion.