



# Global Issues in Criminal Procedure

*Linda Carter, Christopher Blakesley, Peter Henning*

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Global Issues in Criminal Procedure provides an overview of constitutional issues that arise when searches, seizures, and interrogations occur outside the United States. As crimes increasingly cross international borders, investigations also cross national boundaries. The materials in this book examine prosecutions in U.S. courts that involve evidence obtained abroad. There are two main parts to the book: 1) Searches and Seizures Abroad and 2) Interrogations Abroad. The first part examines the reach of the Fourth Amendment when the searches and seizures involve U.S. citizens abroad compared with non-U.S. citizens. Cases such as *Verdugo-Urquidez* and *Alvarez-Machain* are included, along with more recent cases that stem from recent terrorism prosecutions. Since the September 11 attacks, electronic surveillance has also become more important in conducting investigations and raises new challenges. A section on electronic surveillance contains materials on the Foreign Intelligence Surveillance Act with its amendments from the USA Patriot Act and more recent amendments. The second part of the book looks at the reach of the Fifth Amendment and Due Process Clause abroad, both the ban on involuntary statements and the protections of Miranda. This section further includes materials on torture and extraordinary renditions. There is also a short discussion of indefinite detention in places like Guantánamo Bay, Cuba, Afghanistan, and in other sites. The book is designed to be used in conjunction with a basic Criminal Procedure textbook that covers the traditional Fourth, Fifth, and Sixth Amendment cases. The materials provide an opportunity to extend the study of these Amendments into the international implications and issues that face many criminal law practitioners and judges in cases today in U.S. courts.

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