

The Upper Class Competition

Problem 2009

SUMMARY of the 2009 PROBLEM

On June 5, 2006, 18-year-old Joseph Carte was fatally shot as he walked along a street in the 6 Mile Road neighborhood of Springfield, North Carolina. A neighborhood of brick townhouses and low-rise apartments, the 6 Mile Road neighborhood has long been troubled by poverty and crime.

Less than a week after Mr. Carter was killed, violence in the area began escalating. On the night of June 10-11, shooting and stabbing incidents left two more people dead and 14 seriously injured. Among the dead was an 11-year-old boy. Six days later, the violence surged further still – seven people dead in less than four hours.

Following this violence, city officials pledged a crackdown. On July 8, the chief of police implemented "Operation Vigilance" – a program establishing temporary vehicle checkpoints at locations leading into the neighborhood, where police stop those seeking to enter 6 Mile Road.

Not long afterwards, Charles James Wynett approached one of the roadblocks in his 2005 Toyota Landcruiser (license plate "CEEYA"). Police stopped his vehicle, and an officer ran through a sequence of checkpoint procedures. A police drug-sniffing dog indicated a "hit," whereupon officers searched his vehicle. After police found 5.5 kilograms of cocaine in the car's spare tire well, Mr. Wynett was arrested and charged with possession of cocaine with intent to distribute.

The case was heard in the U.S. District Court for the Middle District of North Carolina. Prior to trial, Mr. Wynett moved to suppress evidence stemming from the search. The district court judge denied the motion. Mr. Wynett then went to trial, where he was convicted of a single charge of violating 21 U.S.C. § 841(a)(1), and sentenced to 15 years in federal prison.

The two issues on appeal are:

1. Whether "Operation Vigilance" had as its primary purpose general crime control.
2. Whether its implementation was so intrusive as to rise to the level of an unreasonable seizure.