does not apply within the confines of the prison cell."[354] Thus, prison administrators may conduct random "shakedown" searches of inmates' cells without the need to adopt any established practice or plan, and inmates must look to the Eighth Amendment or to state tort law for redress against harassment, malicious property destruction, and the like.

Neither a warrant nor probable cause is needed for an administrative search of a probationer's home. It is enough, the Court ruled in *Griffin v. Wisconsin*, that such a search was conducted pursuant to a valid regulation that itself satisfies the Fourth Amendment's reasonableness standard (*e.g.*, by requiring "reasonable grounds" for a search).[355] "A State's operation of a probation system, like its operation of a school, government office or prison, or its supervision of a regulated industry, . . . presents 'special needs' beyond normal law enforcement that may justify departures from the usual warrant and probable cause requirements."[356] "Probation, like incarceration, is a form of criminal sanction," the Court noted, and a warrant or probable cause requirement would interfere with the "ongoing [non-adversarial] supervisory relationship" required for proper functioning of the system.[357] A warrant is also not required if the purpose of a search of a probationer is investigate a crime rather than to supervise probation.[358]

"[O]n the 'continuum' of state-imposed punishments . . . , parolees have [even] fewer expectations of privacy than probationers, because parole is more akin to imprisonment than probation is to imprisonment."[359] The Fourth Amendment, therefore, is not violated by a warrantless search of a parolee that is predicated upon a parole condition to which a prisoner agreed to observe during the balance of his sentence.[360]

Drug Testing.—In two 1989 decisions the Court held that no warrant, probable cause, or even individualized suspicion is re-

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[354] Hudson v. Palmer, 468 U.S. 517, 526 (1984). *See also* Bell v. Wolfish, 441 U.S. 520, 555–57 (1979) ("It is difficult to see how the detainee's interest in privacy is infringed by the room-search rule [allowing unannounced searches]. No one can rationally doubt that room searches represent an appropriate security measure . . . .").

[355] 483 U.S. 868 (1987) (search based on information from police detective that there was or might be contraband in probationer's apartment).

[356] 483 U.S. at 873–74.

[357] 483 U.S. at 879.

[358] United States v. Knights, 534 U.S. 112 (2001) (probationary status informs both sides of the reasonableness balance).

[359] Samson v. California, 547 U.S. 843, 850 (2006) (internal quotation marks altered).

[360] 547 U.S. at 852. The parole condition at issue in *Samson* required prisoners to "agree in writing to be subject to a search or seizure by a parole officer or other peace officer at any time of the day or night, with or without a search warrant and with or without cause." Id. at 846, quoting Cal. Penal Code Ann. § 3067(a).