

QUESTION 10 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV

Louie LaVoy won his campaign to be sheriff of Montmorency County based largely on his "tough on drunk drivers" platform. After he took office, he implemented several measures designed to identify and apprehend drunk drivers, including establishing a hot line number for citizens to report suspected drunk driving and ordering additional police patrols at bar closing time. Sheriff LaVoy also decided to implement sobriety checkpoints as a means of identifying drunk drivers and providing deterrence to drunk driving. Under the plan, police cars (with flashing lights) would close all but one lane of traffic on selected roads in Montmorency County, forcing traffic to merge and slow down to a crawl. As each car approached the checkpoint, an officer approached the car, explained that the police were investigating the possibility that the driver might be too intoxicated to drive, and examined the driver for signs of intoxication. If the officer found signs of intoxication, the officer directed that driver to the side of the road, where the driver was asked to blow into a hand-held machine which tested the driver's breath for the presence of alcohol. If the driver was found to be intoxicated, he was arrested. The average delay for motorists who did not show any signs of intoxication was less than 30 seconds.

Several licensed drivers living in Montmorency County filed suit, seeking declaratory and injunctive relief. The drivers claim that the sobriety checkpoints are unconstitutional.

Applying principles of constitutional law, discuss whether the Implementation of sobriety checkpoints violates the United States and Michigan Constitutions. Explain your answer.

*******THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV*******