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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of July – 2025

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People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

THE CASE: Pyles was stopped and searched without a warrant. Was the fact that Pyles was on Mandatory Supervised Release at the time he was detained alone sufficient to justify the warrantless, suspicionless search of his person?

FACTS: Pyles arrived in Normal, Illinois, on an Amtrak train from St. Louis, Missouri. Shortly after he arrived, he was detained by officers who had received a tip that he might be transporting methamphetamine to Normal from St. Louis. The officers searched Pyles and found a clear plastic bag of white powder that was later shown to be methamphetamine. He was arrested and charged with several offenses including methamphetamine trafficking (720 ILCS 646/56).

Before trial, Pyles moved to suppress the evidence from the search pursuant to section 114-12 of the Code of Criminal Procedure of 1963 (Code of Criminal Procedure) (725 ILCS 5/114-12). At the hearing on the motion, the People's sole argument against suppression was that Pyles was subject to the mandatory parole search condition, making the search permissible even in the absence of suspicion. One of the Officers who searched Pyles testified that he confirmed before conducting the search that Pyles was, in fact, on Illinois MSR, but the Officer also testified that he was unaware whether Pyles's particular MSR agreement contained the mandatory search condition. The People did not introduce Pyles's MSR agreement into evidence. The trial court concluded that the search was a valid suspicionless parole search and denied Pyles's motion.

The evidence obtained from the search was ultimately admitted at Pyles's trial and he was convicted of all charges, but his conviction for methamphetamine trafficking merged with the remaining convictions under the one-act, one-crime rule. The trial court sentenced Pyles to 35 years' imprisonment. This appeal followed.

THE PROBLEM: Prior to detaining and searching Pyles, the Officers never actually obtained a copy of Pyles's MSR agreement and never specifically confirmed that the MSR agreement signed by Pyles contained a clause that required Pyles to "consent to a search of his or her person, property, or residence under his or her control." Further, Pyles's MSR Agreement was never introduced into evidence at Pyles's hearing on his motion to suppress.

ARGUMENT: On appeal, Pyles argued that because the People failed to actually prove that he (Pyles) ever agreed to a warrantless, suspicionless Parolee Search, the search conducted in this case was both impermissible and illegal. For that reason, according to Pyles, the trial court should have granted his motion to suppress.

THE LAW: Under the Unified Code of Corrections (Code), a term of mandatory supervised release (MSR) is imposed on defendants when they complete a term of imprisonment in the Illinois Department of Corrections (Department), with the maximum length of the MSR term depending on the offense. MSR refers to what was traditionally known as parole, and courts still use the term "parolee" for a person on MSR. The Department is responsible for supervising parolees after release, and they are considered to be in the Department's custody despite not being imprisoned. However, conditions of MSR are set not by the Department, but by the independent Prisoner Review Board (Board). Section 3-3-7 of the Code provides for certain mandatory "conditions of every parole and [MSR]," with some of those conditions applying only when the defendant was convicted of certain offenses; the Board may also impose additional, discretionary conditions that it "deems necessary to assist the subject in leading a law-abiding life" "after making an individualized assessment" of the parolee. The Board's discretion to impose conditions of MSR does not extend to mandatory conditions. The signed copy of the MSR conditions is referred to as the parolee's "MSR agreement."

Since 2002, a mandatory condition of every MSR is that the parolee must "consent to a search of his or her person, property, or residence under his or her control." Id. § 3-3-7(a)(10). This kind of condition is generally known as a "parole search condition" or simply a "search condition," and a search conducted pursuant to such a condition is called a "suspicionless parole search." Before 2002, the Board had the discretion to impose a parole search condition, which it did in at least some circumstances.

KEY CASES: Samson v. California, 547 U.S. 843, (2006) and People v. Wilson, 228 Ill. 2d 35, (2008). Sampson concluded that the Fourth Amendment does not categorically prohibit suspicionless parole searches, but the search must nevertheless be "reasonable under [the] general Fourth Amendment approach of 'examining the totality of the

circumstances,' with the *** search condition being a salient circumstance.” Wilson explained that “the legal and practical effect of [Illinois's] search condition is no different from that of the search condition at issue in Samson.” Samson acknowledged two procedural safeguards imposed by the California law to ensure that a particular suspicionless parole search was reasonable: (1) the search could not be “arbitrary, capricious or harassing” and (2) the officer conducting the search was required to have “knowledge that the person stopped for the search [was] a parolee” **EDITOR’S NOTE:** [The Illinois Statute contains no prohibition against “arbitrary, capricious or harassing” searches and the Court in this case expressed no opinion as to whether Samson or Wilson adopted California’s prohibition on arbitrary, capricious, or harassing searches as a constitutional requirement because Pyles did not alleged that the search in this case fit that description. Therefore, this is still an open question.]

In the case of People v. Coleman, 2013 IL App (1st) 130030, the Court held that a suspicionless search under Illinois's mandatory search condition is unreasonable when the officer conducting the search lacked advance knowledge that the person being searched was on Illinois MSR. In other words, an otherwise invalid search is not salvaged because the officer later learns that the defendant was on MSR at the time of the search.

ISSUE #1: Does an officer's knowledge that the defendant was on MSR in and of itself render a suspicionless search reasonable? In this case, the People argued that the warrantless, suspicionless search of Pyles was justified merely by the Officers learning that Pyles was on MSR. Conversely, Pyles argued that such a search is unreasonable unless and until the Officers actually confirmed that the MSR Agreement Pyles signed actually contained the suspicionless search clause.

FINDINGS: The appellate court noted that the question of whether a person is on Illinois MSR is a simple yes-or-no proposition that can be quickly and easily communicated between law enforcement officers. In contrast, a parolee's particular MSR agreement is required to be retained only by the parolee himself and the officer in charge of supervising him. The Court concluded that it would be unreasonable to require law enforcement officers to obtain the parolee's MSR agreement from one of those two people simply to ensure the language of the particular parole search condition complies with the statute or otherwise encompasses the particular search sought to be conducted. The Court declined to impose this “arduous requirement.” Accordingly, the Court concluded that the People could meet their burden of production at a suppression hearing by showing that the officer conducting the search had actual knowledge that the defendant was on MSR. Here, it was undisputed that Pyles was on MSR, and the officers knew as much when they searched him, so the trial court properly found that the People met their burden of production to overcome Pyles’s argument that his warrantless, suspicionless search was impermissible.

ISSUE #2: After the People successfully overcame Pyles’s complaint about their warrantless, suspicionless search of his person, did Pyles present sufficient evidence to support his argument that the search of his person otherwise violated the 4th Amendment?

FINDINGS: The appellate court concluded that Pyles failed to provide sufficient evidence to support his argument that the search of the Officers violated the Fourth Amendment after Pyles’s attack on his Parolee Search was rejected.

ISSUE #3: If the Parolee Search conducted by these Officers did not violate the 4th Amendment, did it violate the rights granted by Article I, Section 6 of the Illinois Constitution?

FINDINGS: In response to this question, the Court noted that Article I, § 6 of the Illinois Constitution provides that “the people shall have the right to be secure in their persons, houses, papers and other possessions against unreasonable searches, seizures, invasions of privacy or interceptions of communications by eavesdropping devices or other means.” Further, the Court noted that because this provision has been interpreted in limited lockstep with the Fourth Amendment, “the Illinois Supreme Court conducts reasonableness balancing for the invasion of privacy under the same framework as searches under the Fourth Amendment.” For the appellate court to diverge from the United States Supreme Court under the lockstep doctrine, the defendant must show “evidence in the language of the Illinois constitution or in the debates and committee reports from its drafting that shows the drafters intended the Illinois Constitution to be construed differently.” Absent such a showing, the United States Supreme Court's interpretation of the Fourth Amendment is not merely persuasive authority but a binding interpretation of Article I, Section 6, of the Illinois Constitution. The Court concluded that here, “the defendant has not made a case for an exception to the lockstep doctrine.” Therefore, it concluded that the search was reasonable under Article I, Section 6, of the Illinois Constitution, as well as the Fourth Amendment to the United States Constitution.

CONCLUSION: The appellate court affirmed that judgment of the circuit court denying this Pyles’s motion to suppress and his subsequent conviction.

QUIZ QUESTIONS FOR THE MONTH OF JULY – 2025

People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

1. Warrantless, suspicionless parole searches are prohibited by the Fourth Amendment.
 - a. True.
 - b. False.

2. Does the fact that a suspect is on parole alone justify a warrantless, suspicionless search of the suspect's person, car or property?
 - a. Yes.
 - b. No.

3. In this case, the Officers conducting the parolee search never actually read Pyles's search agreement. Did this fact render Pyles's parolee search illegal?
 - a. Yes.
 - b. No.

4. Article I, Section 6 of the Illinois Constitution provides more protection for parolees than does the Fourth Amendment. Consequently, warrantless, suspicionless parolee searches violate the Illinois Constitution.
 - a. True.
 - b. False.

QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JULY – 2025

People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

1. Warrantless, suspicionless parole searches are prohibited by the Fourth Amendment.
b. False. The Fourth Amendment does not categorically prohibit suspicionless parole searches.
2. Does the fact that a suspect is on parole alone justify a warrantless, suspicionless search of the suspect's person, car or property?
b. No. This Court concluded that in order for a parole search to be legal, the suspect must, in fact, be on MSR and the Officers conducting the parole search must be aware of the fact that the suspect is on MSR before they conduct the parole search.
3. In this case, the Officers conducting the parole search never actually read Pyles's search agreement. Did this fact render Pyles's parole search illegal?
b. No. This Court rejected the argument that prior to conducting a parole search, the searching Officers must inspect the suspect's actual parole agreement to be sure that it contained a search agreement.
4. Article I, Section 6 of the Illinois Constitution provides more protection for parolees than does the Fourth Amendment. Consequently, warrantless, suspicionless parole searches violate the Illinois Constitution.
b. False. This Court declared that such searches did not violate the Illinois Constitution.