

Criminal Procedure

Counsel Issues

[*Woods v. Donald*](#), 575 U.S. ____ (Mar. 30, 2015) (per curiam). In this habeas corpus case, the Court reversed the Sixth Circuit, which had held that defense counsel provided per se ineffective assistance of counsel under *United States v. Cronin*, 466 U. S. 648 (1984), when he was briefly absent during testimony concerning other defendants. The Court determined that none of its decisions clearly establish that the defendant is entitled to relief under *Cronin*. The Court clarified: “We have never addressed whether the rule announced in *Cronin* applies to testimony regarding codefendants’ actions.” The Court was however careful to note that it expressed no view on the merits of the underlying Sixth Amendment principle.

Arrest, Search and Investigation

[*Grady v. North Carolina*](#), 575 U.S. ____ (Mar. 30, 2015) (per curiam). Reversing the North Carolina courts, the Court held that under *Jones* and *Jardines*, satellite based monitoring for sex offenders constitutes a search under the Fourth Amendment. The Court stated: “a State ... conducts a search when it attaches a device to a person’s body, without consent, for the purpose of tracking that individual’s movements.” The Court rejected the reasoning of the state court below, which had relied on the fact that the monitoring program was “civil in nature” to conclude that no search occurred, explaining: “A building inspector who enters a home simply to ensure compliance with civil safety regulations has undoubtedly conducted a search under the Fourth Amendment.” The Court did not decide the “ultimate question of the program’s constitutionality” because the state courts had not assessed whether the search was reasonable. The Court remanded for further proceedings.