

TARIQ A-R Y v. MARYLAND (1998)

The Facts:

In May, 1995, an anonymous tip sent the police to Tariq's home in Frederick County, Maryland. Tariq was a minor who lived with his mother. When he answered the door, the police officers saw a bottle of beer on the floor and smelled marijuana in the air and alcohol on Tariq's breath.

Suspecting that Tariq was drinking alcohol or using illegal drugs, the police officers asked his mother for permission to search the home. She said yes, they could search the house and "anything in it." The officers found a bag of marijuana in a vest that was in the dining room. Tariq admitted the vest belonged to him but argued that, without his permission, the police had no right to search it.

Tariq was arrested for possession of an illegal substance. He punched and kicked the officers when he was arrested, so he was also charged with resisting arrest.

The Ruling:

The Maryland Court of Appeals stood by the principle that parents have the authority to make decisions about their homes and everything in them. The state court also reviewed the concept of reasonable expectation of privacy and concluded that it wasn't reasonable for Tariq to expect his belongings left in an open area of his mother's home to be viewed as private. After considering the circumstances of the search, the court ruled that the police didn't need Tariq's permission to search his property; his mother's consent was enough, and Tariq's objection didn't matter.

Tariq was convicted of possession of marijuana and resisting arrest. His case was appealed to the U. S. Supreme Court, which turned down the request to hear the case in 1998. The Maryland ruling stayed in place. Tariq was sent to Maryland's department of juvenile services.

This case demonstrates that, legally, parents have authority over their underage children. Besides being in charge of the home, your parents can legally control and make decisions about where you go to school, what place of worship you attend, whether you can get a job, what sports you're allowed to play, and who you can spend your free time with.