
LEGAL UPDATE

Legal Services Division



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

IOWA SUPREME COURT DECISION — SEARCH AND SEIZURE

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State of Iowa v. Charles Aaron Amble and John Joseph Mandracchia

Filed June 13, 2025

No. 23-2114

www.iowacourts.gov/courtcases/23246/embed/SupremeCourtOpinion

Factual and Procedural Background. In 2023, police in Des Moines, Iowa, conducted three warrantless “trash pulls” from garbage bags placed curbside outside a residence suspected of drug activity. The searches revealed drug-related evidence, which was then used to obtain a search warrant for the home. The resulting search uncovered additional evidence, leading to drug-related charges against Charles Amble and John Mandracchia.

The defendants moved to suppress the evidence, arguing that the trash pulls violated Article I, section 8, of the Iowa Constitution, which is analogous to the Fourth Amendment of the Constitution of the United States, referencing the Iowa Supreme Court’s 2021 decision in *State v. Wright*, 961 N.W.2d 419 (Iowa 2021), which held such warrantless searches unconstitutional due to local anti-scavenging ordinances and privacy expectations.

The trial court ruled Iowa Code section 808.16, which was enacted after the *Wright* decision, facially unconstitutional, holding that the statute improperly defined constitutional terms like “papers and effects” and usurped judicial authority to interpret the Constitution, thus suppressing all evidence derived from the trash pulls and the resulting home search.

Issue. Whether Iowa Code section 808.16, enacted after the *Wright* decision, declaring garbage placed in publicly accessible areas as “abandoned property,” is constitutional and thus permits warrantless trash searches.

Holding. In an opinion delivered by Justice Waterman and joined by all other justices except Justice McDermott, who filed a dissenting opinion, the Court held that Iowa Code section 808.16(3), which declares curbside trash “abandoned property,” is facially constitutional and validly preempts local anti-scavenging ordinances.

Analysis. The Iowa Supreme Court held that the specific provision in Iowa Code section 808.16(3), which deems garbage left for collection in a publicly accessible area as “abandoned property,” is constitutional and validly authorized the searches. The Court found that the statutory declaration that trash is “abandoned property” in Iowa Code section 808.16 removed any reasonable expectation of privacy in such garbage and thus aligned with constitutional standards, distinguishing the case from *Wright* by emphasizing that local

ordinances prohibiting scavenging cited in *Wright* were now preempted. Accordingly, the Court reinstated the evidence and remanded the case for further proceedings.

Dissent. Justice McDermott dissented, arguing that constitutional interpretation of Article I, section 8, of the Iowa Constitution belongs solely to the courts, that Iowa Code section 808.16 attempted to usurp this role, and that people still maintain a reasonable expectation of privacy in their trash under the Iowa Constitution due to the fact there are no other alternatives for trash pick-up. A citizen is prohibited from throwing trash outside, burning it, placing it in a neighbor's trash can, burying it, or taking it to the dump because that trash is also subject to search. Placing trash outside for curbside pick-up is akin to a conveyance and not abandoned until the trash is actually picked up by the garbage collector.

LSA Staff Contact: Adrienne Seusy, 515.281.3444 or Adrienne.Seusy@legis.iowa.gov