

Wong Sun v. United States

Toy and Wong Sun were convicted of fraudulent and knowing transportation and concealment of illegally imported heroin. The Court of Appeals affirmed their convictions, notwithstanding the admission in evidence over their timely objections of (1) statements made orally by Toy in his bedroom at the time of his arrest; (2) heroin surrendered to the agents by Yee, a third party, as a result of those statements; and (3) unsigned statements made by each petitioner several days after his arrest, and after being lawfully arraigned and released on his own recognizance. The Court of Appeals held that these items were not fruits of the illegal arrests.

Concerning Toy, the Court found that no warrant for his arrest would have issued on evidence then available, therefore, the officers' uninvited entry into Toy's living quarters and bedroom arrest were unlawful. His declarations in the bedroom and the narcotics surrendered by Yee should not have been admitted in evidence against him. Additionally, no reference to Toy in Wong Sun's statement constitutes admissible evidence corroborating any admission by Toy.

Concerning Wong Sun, although his arrest was without probable cause or reasonable grounds, his unsigned confession was not the fruit of that arrest, and was therefore properly admitted at trial because Wong Sun had been released on his own recognizance after a lawful arraignment, and had returned voluntarily several days later to make the statement. The connection between the arrest and the statement had become so attenuated as to dissipate the taint. The exclusion of the narcotics as to Toy was required solely by their tainted relationship to information unlawfully obtained from Toy, and not by any official impropriety connected with their surrender by Yee. Therefore, the seizure of this heroin invaded no right of privacy of person or premises which would entitle Wong Sun to object to its use at his trial.