

fruit from a poisonous tree

fruit from a poisonous tree is a phrase steeped in legal significance, commonly found in criminal law discussions and courtroom dramas. It refers to evidence that, while potentially crucial, has been obtained through unlawful or improper means, making it inadmissible in court. This article explores the origins of the concept, its legal implications, real-world applications, notable cases, exceptions to the rule, and the broader impact on justice and individual rights. Readers will gain a comprehensive understanding of how the "fruit from a poisonous tree" doctrine works, why it matters, and the controversies surrounding its use in the justice system. By delving into both historical and practical aspects, the article aims to clarify the nuances of this doctrine for legal enthusiasts, students, and anyone interested in how law protects or restricts the use of evidence.

- Understanding the Origins of "Fruit from a Poisonous Tree"
- Legal Definition and Application
- Influential Cases Shaping the Doctrine
- Exceptions to the Rule
- Impact on Criminal Justice and Individual Rights
- Controversies and Criticisms
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Understanding the Origins of "Fruit from a Poisonous Tree"

The phrase "fruit from a poisonous tree" originated in American jurisprudence and is deeply rooted in the concept of legal evidence. The metaphor likens illegally obtained evidence to fruit that grows from a contaminated source, suggesting that any derivative evidence must also be tainted. This doctrine was first articulated in the early twentieth century and gained prominence through Supreme Court decisions that sought to protect the constitutional rights of individuals, particularly under the Fourth Amendment, which safeguards against unreasonable searches and seizures.

By tracing the historical context, it becomes clear that the rule was designed to deter law enforcement from violating rights during investigations. The phrase itself captures the idea that once the tree (the original source of evidence) is poisoned (tainted by illegality), all fruit (subsequent evidence) produced by it is automatically suspect. This foundational principle has since become a cornerstone of American criminal procedure, shaping the landscape of evidence admissibility in courts across the country.

Legal Definition and Application

What Constitutes "Poisonous Tree"?

Legally, the "poisonous tree" represents the initial evidence obtained through illegal or unconstitutional means. This could involve warrantless searches, coerced confessions, or any investigative act that violates established legal procedures. The doctrine extends to any evidence—documents, statements, physical objects—that is directly or indirectly derived from the original illegality.

How Courts Apply the Doctrine

Courts analyze whether evidence was gathered as a direct result of unlawful conduct. If so, that evidence is typically excluded from trial. Judges use a factual and legal inquiry to determine if the connection between the illegal act and the evidence is sufficiently attenuated or if the taint remains. The doctrine is most frequently invoked in criminal cases, where the integrity of the justice system and constitutional protections are paramount.

Types of Evidence Affected

- Physical evidence found as a result of an illegal search
- Statements made following unlawful detention or interrogation
- Documents discovered due to information obtained illegally
- Witnesses identified through tainted procedures

Influential Cases Shaping the Doctrine

Silverthorne Lumber Co. v. United States (1920)

This landmark case established the metaphor and principle behind "fruit from a poisonous tree." The Supreme Court ruled that evidence derived from illegal searches and seizures must be excluded, even if law enforcement later obtained it through independent means.

Wong Sun v. United States (1963)

Wong Sun further refined the doctrine by introducing the concept of attenuation. The Court held that evidence is not automatically excluded if the connection to the illegal act is remote or has become sufficiently distant through intervening circumstances.

Other Notable Cases

Several subsequent cases have clarified and expanded the doctrine, including *Murray v. United States* and *Nix v. Williams*. Each decision has contributed to the evolving standards for admissibility and the exceptions that courts recognize.

Exceptions to the Rule

Independent Source Doctrine

This exception allows evidence to be admitted if it was obtained independently of the illegal act. If law enforcement can demonstrate that the evidence came from a separate, lawful investigation, the taint does not apply.

Inevitable Discovery Rule

If authorities can prove that they would have discovered the evidence through legal means regardless of the misconduct, it may still be admissible. This exception prevents the exclusion of crucial evidence that would have surfaced inevitably.

Attenuation Doctrine

The attenuation doctrine considers whether the connection between the illegal act and the evidence has become so weakened by intervening factors that the original taint is dissipated. Length of time, intervening circumstances, and independent actions are all factors courts assess.

Good Faith Exception

Under certain conditions, evidence may be admitted if law enforcement acted on a reasonable, good-faith belief that their actions were legal, such as relying on a defective warrant. This exception is controversial and subject to strict scrutiny by courts.

Impact on Criminal Justice and Individual Rights

Protecting Constitutional Rights

The "fruit from a poisonous tree" doctrine serves as a powerful safeguard against governmental overreach and abuse of power. By excluding tainted evidence, the justice system upholds the Fourth Amendment and deters law enforcement from violating constitutional protections.

Challenges for Prosecution

While the doctrine protects individual rights, it can also present significant challenges for prosecutors. Excluding critical evidence may hinder a case, making it difficult to secure convictions in situations where illegal conduct led to the discovery of key facts or witnesses.

Balancing Justice and Public Safety

- Ensuring fair trials by excluding unlawfully obtained evidence
- Preventing law enforcement misconduct
- Addressing public safety concerns when vital evidence is excluded
- Maintaining trust in the legal system

Controversies and Criticisms

Debate Over Exclusionary Rule Effectiveness

Critics argue that the exclusionary rule and its "fruit from a poisonous tree" extension can impede justice by allowing guilty parties to evade conviction due to technicalities. Supporters maintain that these rules are necessary to preserve constitutional rights and deter police misconduct.

Calls for Reform

Some legal scholars and policymakers advocate reforms to limit the doctrine's impact or introduce new exceptions. Proposals include narrowing the rule's application to egregious violations or expanding the good faith exception to encompass more scenarios.

International Perspectives

While the doctrine is a staple of American law, other countries handle illegally obtained evidence differently. Some jurisdictions permit greater judicial discretion, while others exclude tainted evidence only in cases of serious rights violations. These varying approaches reflect ongoing debates about the best way to balance fairness and justice.

Frequently Asked Questions

Q: What does "fruit from a poisonous tree" mean in legal terms?

A: It refers to evidence that is inadmissible in court because it was derived from an illegal or unconstitutional act by law enforcement, such as an unlawful search or seizure.

Q: What is an example of "fruit from a poisonous tree"?

A: If police search a home without a warrant and find stolen goods, those goods and any information obtained as a result of the illegal search are considered fruit from a poisonous tree and are generally inadmissible.

Q: Are there exceptions to the "fruit from a poisonous tree" doctrine?

A: Yes, common exceptions include the independent source doctrine, inevitable discovery rule, attenuation doctrine, and good faith exception.

Q: Why is the "fruit from a poisonous tree" rule important?

A: It helps protect constitutional rights, deters police misconduct, and ensures that evidence presented in court is obtained lawfully.

Q: Can tainted evidence ever be used in court?

A: In certain circumstances, such as when the evidence would have been discovered independently or inevitably, or when the connection to the illegal act is sufficiently attenuated, it may be admitted.

Q: What is the attenuation doctrine?

A: The attenuation doctrine allows evidence to be admitted if the link between the illegal act and the evidence has been weakened by intervening events or circumstances.

Q: Does the "fruit from a poisonous tree" rule apply in civil cases?

A: While primarily applied in criminal cases, some courts may consider its principles in civil proceedings, depending on the jurisdiction and specific circumstances.

Q: How does the good faith exception work?

A: If law enforcement acted with a reasonable belief that their actions were legal, such as relying on a defective warrant, the evidence may be admitted under the good faith exception.

Q: What is the exclusionary rule?

A: The exclusionary rule is a legal principle requiring courts to exclude evidence obtained in violation of a defendant's constitutional rights, forming the basis for the "fruit from a poisonous tree" doctrine.

Q: Are there international equivalents to "fruit from a poisonous tree"?

A: While the specific doctrine is largely unique to American law, other countries have similar rules for excluding illegally obtained evidence, though the scope and application vary widely.

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Fruit from a Poisonous Tree: Understanding the Legal Doctrine and Its Implications

Have you ever heard the phrase "fruit from a poisonous tree"? It sounds like something out of a fairytale, but it's actually a crucial legal concept with significant real-world consequences. This post delves into the meaning of the "fruit from a poisonous tree" doctrine, exploring its origins, applications, and limitations. We'll unravel the complexities of this legal principle, offering clear explanations and practical examples to help you understand its impact on criminal justice and beyond.

What is the "Fruit from a Poisonous Tree" Doctrine?

The "fruit from a poisonous tree" doctrine, also known as the exclusionary rule's fruit of the poisonous tree doctrine, is a legal rule that prevents evidence obtained illegally from being used in court. It's based on the principle that evidence derived from an illegal search or seizure, an illegal interrogation, or other unlawful police conduct is inadmissible, even if it leads to the discovery of other, seemingly unrelated evidence. The "poisonous tree" represents the initial illegality, and the "fruit" represents the subsequently discovered evidence. Think of it like this: a poisonous tree produces poisonous fruit; similarly, an illegal act leads to tainted evidence.

The Origins and Evolution of the Doctrine

The doctrine originated in the landmark Supreme Court case *Silverthorne Lumber Co. v. United States* (1920). The court ruled that evidence derived from an illegal seizure, even if indirectly obtained, was inadmissible. This decision established the foundational principle that the government cannot profit from its own wrongdoing. Over time, the doctrine has been refined and clarified through subsequent court cases, addressing its application in various scenarios, including confessions obtained through coercion and evidence obtained through illegally obtained warrants.

Applying the Doctrine: Scenarios and Exceptions

The application of the "fruit from a poisonous tree" doctrine isn't always straightforward. Several factors influence whether evidence will be suppressed:

The degree of attenuation: If there's a significant break in the causal chain between the initial illegality and the subsequently obtained evidence, the "fruit" might be deemed admissible. This "attenuation" can be established by factors such as time elapsed, intervening circumstances, or independent sources of information.

Independent source doctrine: If the evidence is obtained through a completely independent source, unrelated to the initial illegality, it's admissible, even if it's similar to evidence that would have been inadmissible under the "fruit of the poisonous tree" doctrine.

Inevitable discovery doctrine: If the prosecution can demonstrate that the evidence would have inevitably been discovered through lawful means, regardless of the initial illegality, it can be admitted.

Good faith exception: If law enforcement acted in good faith reliance on a warrant that is later deemed invalid, the evidence obtained might still be admissible. This exception aims to prevent the suppression of evidence due to technical errors by law enforcement.

The Importance of the Doctrine in Protecting Constitutional Rights

The "fruit from a poisonous tree" doctrine is a critical safeguard against governmental overreach. It serves as a deterrent against unlawful police practices, ensuring that law enforcement operates within the bounds of the law. Without this doctrine, police might be incentivized to engage in illegal activities, knowing that even if the initial illegality is uncovered, any evidence discovered as a result might still be admissible. The doctrine protects fundamental constitutional rights, such as the Fourth Amendment right against unreasonable searches and seizures and the Fifth Amendment right against self-incrimination.

Limitations and Criticisms of the Doctrine

While essential, the "fruit from a poisonous tree" doctrine isn't without its critics. Some argue that it's too broad, potentially leading to the suppression of valuable evidence and hindering the prosecution of criminals. Others argue that it's too complex, leading to unpredictable outcomes and creating unnecessary burdens on the judicial system. The doctrine's application often hinges on nuanced legal interpretations, making its application challenging and sometimes leading to inconsistent outcomes.

Conclusion

The "fruit from a poisonous tree" doctrine is a complex but vital component of the American legal system. It serves as a critical check on law enforcement power, safeguarding individual rights and promoting adherence to legal procedures. While it has its limitations and criticisms, its core purpose - preventing the admission of evidence obtained through illegal means - remains crucial for maintaining the integrity of the justice system and upholding constitutional guarantees. Understanding this doctrine is key to understanding the balance between effective law enforcement and the protection of individual liberties.

FAQs

1. Can the "fruit from a poisonous tree" doctrine apply to civil cases? While primarily used in criminal cases, the principles underlying the doctrine can sometimes influence evidentiary rulings in civil cases, particularly those involving governmental misconduct.
2. What happens if the "poisonous tree" is a confession obtained through coercion? Evidence derived from a coerced confession is generally inadmissible under the "fruit from a poisonous tree" doctrine. This includes any evidence found as a result of the confession.
3. How does a judge determine if the connection between the illegality and the subsequent evidence is sufficiently attenuated? Judges consider various factors, including the time elapsed, the presence of intervening events, and the purposefulness of the police conduct in determining attenuation.
4. Is the "fruit from a poisonous tree" doctrine used in other countries? Similar exclusionary rules exist in many other countries, though their precise application and scope may vary.
5. What are some examples of cases where the "fruit from a poisonous tree" doctrine played a significant role? Numerous Supreme Court cases, including *Wong Sun v. United States* (1963) and *Hudson v. Michigan* (2006), have significantly shaped the doctrine's application and interpretation.

fruit from a poisonous tree: Fruit from a Poisonous Tree Melvin Stamper Jd, 2008-10 Secrets that were never to be revealed--Cover.

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fruit from a poisonous tree: *Fruit of a Poisoned Tree* Antony Albeker, 2010 In June 2005, Fred van der Vyver, a young actuary and the son of a wealthy Eastern Cape farming family, was charged with murdering his girlfriend, Inge Lotz, allegedly bludgeoning her to death with a hammer as she lay on a couch in her lounge. The case against Van der Vyver seemed overwhelming. His behaviour at the time of the murder appeared suspicious and incriminating, and a letter, penned by Inge on the morning of her death, suggested that the two had been fighting. But it was forensic evidence that seemed to prove his guilt: his fingerprints were found at the scene, one of his shoes was matched to a blood stain on the bathroom floor, and traces of blood were found on an ornamental hammer that had been given to him by the victim's parents. And yet, in one of the most sensational and controversial murder trials in South African legal history, Van der Vyver's lawyers sought to turn the tables on the police, accusing them of fabricating evidence and lying to the judge. In this book prize-winning author Antony Albeker takes you into the heat of this epic courtroom battle. Albeker's eye-witness account of the trial presents the reader with all the evidence and testimony of the trial, while also placing it in the context of a society and a justice system that are being stretched to breaking point.

fruit from a poisonous tree: Fruit of the Poisonous Tree Kerri Mellifont, 2010 ...The importance of derivative evidence and the way that courts treat its admissibility cannot be underestimated. In many cases, the determination of whether or not derivative evidence will be admitted has the functional effect of deciding the outcome of a trial. ... M Wiseman, *The Derivative Imperative: An Analysis of Derivative Evidence in Canada* (1997) 39 *Criminal Law Quarterly* 435, 491. The fate of a criminal trial can be determined by a decision by the trial judge to exclude evidence which has come about by illegal or improper investigative means. An exclusion of a confession obtained involuntarily, or drugs located in an illegal search, can result in the collapse of a case against an accused. Although much has been written in Australia on the rule and discretions to exclude such evidence, little has been written on a particular species of such evidence, that is, evidence which is derived from evidence which has been obtained by illegal or improper investigative means. This is so even though a criminal law practitioner is not infrequently faced with a brief of evidence which contains evidence which has been derived from other evidence which itself was illegally or improperly obtained. Described variously in overseas literature as derivative evidence or fruit of the poisonous tree, this species of evidence gives rise to considerations which are peculiar to it when applying the exclusionary rule and discretions. Thus, the second or subsequent confession obtained after in consequence of an improperly obtained confession may require the judge to think differently on the question of exclusion. Similarly, the bank records located in consequence of scraps of paper found during an illegal search of an accused person's residence may call into play additional factors to weigh in the balance required by the public policy discretion. This text provides practitioners with a readily comprehensible analysis of the operation of the exclusionary rule and discretions in Australia, including the factors which come in to play generally with respect to all evidence illegally and improperly obtained, and more specifically with respect to derivative evidence.

fruit from a poisonous tree: On the path to AI Thomas D. Grant, Damon J. Wischik, 2020-06-02 This open access book explores machine learning and its impact on how we make sense of the world. It does so by bringing together two 'revolutions' in a surprising analogy: the revolution of machine learning, which has placed computing on the path to artificial intelligence, and the revolution in thinking about the law that was spurred by Oliver Wendell Holmes Jr in the last two decades of the 19th century. Holmes reconceived law as prophecy based on experience, prefiguring the buzzwords of the machine learning age—prediction based on datasets. On the path to AI

introduces readers to the key concepts of machine learning, discusses the potential applications and limitations of predictions generated by machines using data, and informs current debates amongst scholars, lawyers and policy makers on how it should be used and regulated wisely. Technologists will also find useful lessons learned from the last 120 years of legal grappling with accountability, explainability, and biased data.

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fruit from a poisonous tree: **Fruit of the Poisonous Tree** Richard Carson, 2014-09-05

fruit from a poisonous tree: Fruits of the Poisonous Tree Wade Bey, 2022-11-03 In 1987, Chicago's street gangs were highly organized, and the Ida B. Wells housing projects were one of the most dangerous in the nation. Two brothers, Carl and Tommy, were born into a world of hell and chaos, fighting every day to survive living with drug-addicted parents. A child's innocence was a small price to pay in order to secure the next fix. Abandoned by their mother after their father's incarceration, they turned to their friend Lucky and joined the Gangster Disciples. After years of them learning life's lessons in the streets, their father is released from prison a born-again Christian. Carl finds it in his heart to forgive him; however, Tommy, a psychopathic killer, wants revenge in the worst way. To add to the chaos, the brothers are caught in the middle of a Gangster Disciple and Black Disciple gang war. The Black Disciples win the war, and Lucky flips to join the opposing gang, led by King Neal. He quickly rises to the top of the lucrative drug trade in the Ida B. Wells housing projects. Events quickly unfold into a bloody fight for survival as Lucky's list of adversaries continues to grow, with his childhood friend being at the top.

fruit from a poisonous tree: **Exotic Fruits Reference Guide** Sueli Rodrigues, Ebenezer de Oliveira Silva, Edy Sousa de Brito, 2018-01-05 Exotic Fruits Reference Guide is the ultimate, most complete reference work on exotic fruits from around the world. The book focuses on exotic fruit origin, botanical aspects, cultivation and harvest, physiology and biochemistry, chemical composition and nutritional value, including phenolics and antioxidant compounds. This guide is in four-color and contains images of the fruits, in addition to their regional names and geographical locations. Harvest and post-harvest conservation, as well as the potential for industrialization, are also presented as a way of stimulating interest in consumption and large scale production. - Covers exotic fruits found all over the world, described by a team of global contributors - Provides quick and easy access to botanical information, biochemistry, fruit processing and nutritional value - Features four-color images throughout for each fruit, along with its regional name and geographical location - Serves as a useful reference for researchers, industrial practitioners and students

fruit from a poisonous tree: So, They Say You've Broken the Law , 2011 "This little book will give you the information, the know-how and the tools to successfully challenge alleged Authority in and out of court. Barristers, QCs and lawyers worldwide have read and discussed the content with the author and cannot find a legal argument against it. It works. Use it for defence, appeal or to challenge any claim made upon you."--Publisher's Notes.

fruit from a poisonous tree: **Lost Crops of Africa** National Research Council, Policy and Global Affairs, Development, Security, and Cooperation, 2008-01-25 This book is the third in a series evaluating underexploited African plant resources that could help broaden and secure Africa's food supply. The volume describes 24 little-known indigenous African cultivated and wild fruits that have potential as food- and cash-crops but are typically overlooked by scientists, policymakers, and the world at large. The book assesses the potential of each fruit to help overcome malnutrition, boost food security, foster rural development, and create sustainable landcare in Africa. Each fruit is also described in a separate chapter, based on information provided and assessed by experts throughout the world. Volume I describes African grains and Volume II African vegetables.

fruit from a poisonous tree: *RAMAYANA The Poisonous Tree* Ranganayakamma, As the title indicates, this book is a critical study of an Indian epic, ãThe Ramayanaí. It proceeds in the same order as that of Sanskrit original consisting of : Bala kanda, Ayodhya kanda, Aranya kanda, Kishkindha kanda, Sundara kanda, Yuddha kanda and Uttara kanda. While Valmikiís Ramayana is composed of about 24,000 slokas (verses), ãRamayana the Poisonous Treeí consists of 16 stories,

long and short, accompanied by 11 ělinksí (narratives that ělinkí the stories) and 504 foot-notes that show evidence from the Sanskrit original in support of the critique. Besides the main components of the text, this book has a long ěPrefaceí discussing the social essence of the epic in the context of history of evolution of human society from the ancient times to the modern times. The book also offers a critical review of the works of ěsome earlier critics of Ramayanaí. The authoress describes Ramayana as a Poisonous Tree because it defends the autocratic rule of the kings against the people, their imperial expansion by invading other weak kingdoms, exploitation of the poor by the rich, oppression of lower castes by upper castes, aggression of the civilized non-tribal communities against primitive tribal communities, male chauvinism against women, superstitious beliefs against the rational thinking, fathersí domination over sons, elder brothersí superiority over younger brothers and so on. She substantiated her arguments by providing hundreds of foot notes from the Sanskrit original. She characterizes the culture of Ramayana as predominantly ěfeudalí in nature with an admixture of remnants of primitive ětribalí culture. The book, it is hoped, will be of interest to both academic and non-academic circles. It is relevant to the students, teachers and researchers who are connected with such disciplines as South Asian Studies, Cultural Studies, Comparative Literature, Comparative Religions, Indology, Literary Criticism and so on. It is also relevant to the social and political activists who would like to disseminate ěprogressiveí ideas among the people who are subjected to various forms of inequality: Class, Caste, Gender, Race, Ethnicity. Ranganayakamma (born 1939) is a writer of novels, stories and essays in Telugu. She has published about 60 books.

fruit from a poisonous tree: Fruit of the Drunken Tree Ingrid Rojas Contreras, 2018-07-31 NATIONAL BESTSELLER • Seven-year-old Chula lives a carefree life in her gated community in Bogotá, but the threat of kidnappings, car bombs, and assassinations hover just outside her walls, where the godlike drug lord Pablo Escobar reigns, capturing the attention of the nation. “Simultaneously propulsive and poetic, reminiscent of Isabel Allende...Listen to this new author’s voice—she has something powerful to say.” —Entertainment Weekly When her mother hires Petrona, a live-in-maid from the city’s guerrilla-occupied neighborhood, Chula makes it her mission to understand Petrona’s mysterious ways. Petrona is a young woman crumbling under the burden of providing for her family as the rip tide of first love pulls her in the opposite direction. As both girls’ families scramble to maintain stability amidst the rapidly escalating conflict, Petrona and Chula find themselves entangled in a web of secrecy. Inspired by the author's own life, *Fruit of the Drunken Tree* is a powerful testament to the impossible choices women are often forced to make in the face of violence and the unexpected connections that can blossom out of desperation.

fruit from a poisonous tree: West's Encyclopedia of American Law West Group, 1998 Contains over four thousand alphabetically arranged entries that provide information about terms, concepts, events, movements, cases, and persons significant to U.S. law; and includes sidebars and In Focus articles, tables and indexes, and a variety of reference materials.

fruit from a poisonous tree: *Understanding Criminal Procedure: Investigation* Joshua Dressler, Alan C. Michaels, 2010 The fifth edition of *Understanding Criminal Procedure* is new in many respects. Most significantly, it has been enlarged to two volumes. The first volume is intended for use in criminal procedure courses focusing primarily or exclusively on police investigatory process. Such courses are variously titled: Criminal Procedure I; Criminal Procedure: Investigation; Criminal Procedure: Police Practices; Constitutional Criminal Procedure; etc. Because some such courses also cover the defendant's right to counsel at trial and appeal, the first volume includes a chapter on this non-police-practice issue. (The latter chapter is also included in Volume Two.) The second volume of *Understanding Criminal Procedure* covers the criminal process after the police investigation ends, and the adjudicative process commences. This book is useful in criminal procedure courses (variously entitled Criminal Procedure II; Criminal Procedure: Adjudication; etc.) that follow the criminal process through the various stages of adjudication, commencing with pretrial issues — such as charging, pretrial release and discovery — and continuing with the trial itself and then post-conviction proceedings: sentencing and appeals. *Understanding Criminal*

Procedure is primarily designed for law students. The authors have written the Text so that students can use it with confidence that it will assist them in course preparation, and professors can recommend or assign the volumes to students with confidence that they will improve classroom dialogue. Based on comments that the authors received in the past from students and professors alike, they predict that this new, expanded edition of Understanding Criminal Procedure will serve the needs of students and professors even better. Also, based on the experience of prior editions, including citations to this Text in scholarly literature and judicial opinions, we are confident that the two volumes will prove useful to scholars, practicing lawyers, and courts. Understanding Criminal Procedure covers the most important United States Supreme Court cases in the field. Where pertinent, the Federal Rules of Criminal Procedure, federal statutes, and lower federal and state court cases are considered. The broad overarching policy issues of criminal procedure are laid out; and some of the hottest debates in the field are considered in depth and, we think, objectively. Readers should find the Text user-friendly. Students who want a thorough grasp of a topic can and should read the relevant chapter in its entirety. However, each chapter is divided into subsections, so that readers with more refined research needs can find answers to their questions efficiently. The authors also include citations to important scholarship, both classic and recent, into which readers may delve more deeply regarding specific topics. And, because so many of the topics interrelate, cross-referencing footnotes are included, so that readers can easily move from one part of the Text to another, if necessary.

fruit from a poisonous tree: Mr. Justice Brandeis Felix Frankfurter, 1972-02-21

fruit from a poisonous tree: Poisonous Plants Robert Bevan-Jones, 2009-08-01 The botanical history of Britain and North West Europe has a dark and a light side. Plants have been used as weapons to harm people, taken deliberately as addictive drugs and also employed as tools in witchcraft and used as magical amulets. Yet many of these same plants have been medicinally vital to numerous European communities; as the author notes, frequently the only difference between a benevolent medicine and a poison is dosage. In this book, which is richly illustrated with modern colour photographs and illustrations from herbals, Robert Bevan-Jones brings together a wealth of documentary and archaeo-botanical sources to discuss the cultural, social (and anti-social) role of the fifty most significant species of poisonous plants and fungi found in Britain, either as natives or as introductions. An introductory essay puts into context the development of British society's knowledge of toxic plants: the 'cultural botany' applied in Britain today has evolved over thousands of years, absorbing information from European texts and importing useful plants from Europe, such as the mandrake. The book's central A to Z section - from aconite to yew - then informs the reader about the history and uses of 43 species of poisonous plants, especially those that have a documented history of medicinal usage. Four important fungi species - death cap, liberty cap, fly agaric and ergot - also have separate essays. As well as the plants' histories and appearance, their chemical constituents receive coverage; these give them powerful and diverse properties, which demand our admiration and respect. The book aims to add to the knowledge offered by field identification guides, and help reduce the risk associated with accidental ingestion. Case histories are given in as much detail as possible and the information will hopefully help the reader understand the properties of plants they may encounter, either in an archaeological, botanical or horticultural context. Most of these plants can yet be found growing in woodlands, parks, botanical gardens, roadsides, waterways, churchyards and abbey sites. This is an essential book not only for botanists and historical ecologists, but also for anyone interested in the toxic plant traditions of Britain and Europe.

fruit from a poisonous tree: The Fruit of the Tree Edith Wharton, 2011-09 Edith Wharton was an American novelist, poet and short story writer whose works exhibit a mastery over the realistic fiction genre. Although she grew up in a world of refined manners and fashionable people, she was also aware of its superficiality, a theme that frequently appeared in her fiction. She began writing short stories and poetry at a young age, impressing such literary figures as Henry Wadsworth Longfellow and William Dean Howells. Her stories range widely from powerful social

commentary to titillating ghost stories that made Wharton extremely popular beyond her living years. Her 1907 novel, *The Fruit of the Tree*, sheds light on a highly controversial topic: labor conditions and factory reform. This, in combination with a love story and the ethical debate over euthanasia, made for mixed, positive reviews upon its publication. Conflicts abound in this turn-of-the century tale of love, ethical dilemma and class division.

fruit from a poisonous tree: *The Fruit Forager's Companion* Sara Bir, 2018-05-25 Winner — IACP 2019 Reference & Technical Cookbook Award From apples and oranges to pawpaws and persimmons Sara Bir's voice is quirky, informed, and fresh. *The Fruit Forager's Companion* will push any soul who is interested in foraging into the curious world of fruits. . . . You want someone with passion and appetite to lead you on a foraging quest, and Sara has plenty of both.—Deborah Madison, author of *Vegetable Literacy* and *In My Kitchen* Half of the fruit that grows in yards and public spaces is never picked or eaten. Citrus trees are burdened with misshapen lemons, berries grow in tangled thickets on the roadside, and the crooked rows of abandoned orchards fill with fallen apples. At the same time, people yearn for an emotional connection that's lacking in bland grocery store bananas and tasteless melons. *The Fruit Forager's Companion* is a how-to guide with nearly 100 recipes devoted to the secret, sweet bounty just outside our front doors and ripe for the taking, from familiar apples and oranges to lesser-known pawpaws and mayhaws. Sara Bir—a seasoned chef, gardener, and forager—primes readers on foraging basics, demonstrates gathering and preservation techniques, and presents a suite of recipes including habanero crabapple jelly, lime pickle, pawpaw lemon curd, and fermented cranberry relish. Bir encourages readers to reconnect with nature and believes once the foraging mindset takes control, a new culinary world hiding in plain sight will reveal itself. Written in a witty and welcoming style, *The Fruit Forager's Companion* is a must-have for seekers of both flavor and fun.

fruit from a poisonous tree: *Fruit of the Poisonous Tree* Richard W. Carson, 2012

fruit from a poisonous tree: *Edible Medicinal And Non Medicinal Plants* Lim T. K., 2012-02-09 This book continues as volume 3 of a multi-compendium on Edible Medicinal and Non-Medicinal Plants. It covers edible fruits/seeds used fresh or processed, as vegetables, spices, stimulants, edible oils and beverages. It encompasses species from the following families: Ginkgoaceae, Gnetaceae, Juglandaceae, Lauraceae, Lecythidaceae, Magnoliaceae, Malpighiaceae, Malvaceae, Marantaceae, Meliaceae, Moraceae, Moringaceae, Muntingiaceae, Musaceae, Myristicaceae and Myrtaceae. This work will be of significant interest to scientists, researchers, medical practitioners, pharmacologists, ethnobotanists, horticulturists, food nutritionists, agriculturists, botanists, conservationists, lecturers, students and the general public. Topics covered include: taxonomy; common/English and vernacular names; origin and distribution; agroecology; edible plant parts and uses; botany; nutritive and pharmacological properties, medicinal uses and research findings; nonedible uses; and selected references.

fruit from a poisonous tree: *Plants That Poison* Henry Eamonn Connor, John S. Fountain, 2009-01-01 Written by a leading authority on poisonous plants and an expert in human poisonings, *Plants that Poison: a New Zealand guide* is a guide to a selection of plants and mushrooms with toxic properties that can be found in New Zealand - in back yards, public gardens, school playgrounds, on roadsides and in waste ground. With a particular focus on plants that are of concern for children, the emphasis is on safety through education, to help you understand the risks so that you can avoid them. There is advice on what to do if you think you or your child has eaten something poisonous, and a section on toxic mechanisms - how the poisons act on the human body, the signs and symptoms of poisoning, and the treatment likely to be necessary. Enlivened with historical background and interesting folklore, and comprehensively illustrated with colour photographs to aid identification, this book provides a practical and measured response to demand for information about poisonous plants in New Zealand.

fruit from a poisonous tree: *Mind-altering and Poisonous Plants of the World* Michael Wink, Ben-Erik Van Wyk, 2008 Designed primarily for professional people treating cases of misuse. More than 200 of the major plants are treated in depth. Accompanied by 550 excellent photos for ID.

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fruit from a poisonous tree: *The Ghosts Of Evolution* Connie Barlow, 2008-08-05 A new vision is sweeping through ecological science: The dense web of dependencies that makes up an ecosystem has gained an added dimension—the dimension of time. Every field, forest, and park is full of living organisms adapted for relationships with creatures that are now extinct. In a vivid narrative, Connie Barlow shows how the idea of missing partners in nature evolved from isolated, curious examples into an idea that is transforming how ecologists understand the entire flora and fauna of the Americas. This fascinating book will enrich and deepen the experience of anyone who enjoys a stroll through the woods or even down an urban sidewalk. But this knowledge has a dark side too: Barlow's ghost stories teach us that the ripples of biodiversity loss around us now are just the leading edge of what may well become perilous cascades of extinction.

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fruit from a poisonous tree: *Poison Fruit* Jacqueline Carey, 2014-10-07 The hot-as-Hel series with the “Sookie Stackhouse type of vibe” (Paranormal Haven) is back—but this time the paranormal Midwestern town of Pemkowet is feeling a frost in the air and the residents are frozen in fear.... The Pemkowet Visitors Bureau has always promoted paranormal tourism—even if it has downplayed the risks (hobgoblins are unpredictable). It helps that the town is presided over by Daisy Johanssen, who as Hel’s liaison is authorized by the Norse goddess of the dead to keep Pemkowet under control. Normally, that’s easier to do in the winter, when bracing temperatures keep folks indoors. But a new predator is on the prowl, and this one thrives on nightmares. Daisy is on her trail and working intimately with her partner and sometime lover from the Pemkowet PD, sexy yet unavailable werewolf Cody Fairfax. But even as the creature is racking up innocent victims, a greater danger looms on Pemkowet’s horizon. As a result of a recent ghost uprising, an unknown adversary—represented by a hell-spawn lawyer with fiery powers of persuasion—has instigated a lawsuit against the town. If Pemkowet loses, Hel’s sovereignty will be jeopardized, and the fate of the eldritch community will be at stake. The only one who can prevent it is Daisy—but she’s going to have to confront her own worst nightmare to do it.

fruit from a poisonous tree: Jataka Tales H. T. Francis, E. J. Thomas, 2014-07-24 Originally published in 1916, this book presents a selection from the Jatakas translated into English. The selection was made 'with the purpose of bringing together the Jataka stories of most interest, both intrinsically, and also from the point of view of the folklorist.' Notes and illustrative figures are also included. This book will be of value to anyone with an interest in the Jataka tales and Indian literature.

fruit from a poisonous tree: Plants That Kill Elizabeth A. Dauncey, Sonny Larsson, 2018-03-06 This richly illustrated book provides an in-depth natural history of the most poisonous plants on earth, covering everything from the lethal effects of hemlock and deadly nightshade to the uses of such plants in medicine, ritual, and chemical warfare--Dust jacket.

fruit from a poisonous tree: Poisonous Plants of South Africa Ben-Erik Van Wyk, Fanie Van Heerden, Bosch Van Oudtshoorn, 2002 Poisonous plants of South Africa is a guide to the most commonly occurring poisonous plants in South Africa.

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fruit from a poisonous tree: Botanical Curses and Poisons Fez Inkwright, 2024-03-26 Poison has caused some of history's most dramatic deaths--yet a fine line separates healing from killing: the difference lies in the dosage! Folklorist Fez Inkwright returns to the archives to reveal fascinating stories behind a variety of lethal plants, witching herbs, and funghi. Going from A to Z,

she covers everything from apple to oleander, beautifully illustrating each plant herself. This enthralling treasury is packed with insight and lore on the mysteries of everyday flora.

fruit from a poisonous tree: *Poisonous Plants* Elizabeth A. Dauncey, 2010 This accessible guidebook is the result of a longstanding collaboration between the Royal Botanic Gardens, Kew and the Medical Toxicology Information Services at Guy's and St. Thomas' Hospital, London. Helpful descriptions and more than 230 photographs will assist you in identifying 132 of the most poisonous plants and plant groups likely to be encountered as pot plants, in flower beds and vegetable plots, and in more natural environments--Page 4 of cover.

fruit from a poisonous tree: *Pie School* Kate Lebo, 2023-08-01 Pie baking has never been easier with this gorgeous dessert cookbook full of swoon-worthy recipes and expert advice on baking the perfect pie crust. Here are recipes for fifty perfect pies, including apple (of course), five ways with rhubarb, lemon chiffon, several blueberry pie variations, galettes, and more. Learn the tricks to making enviable baked goods and gluten-free crust while enjoying Kate Lebo's wonderfully humorous, thoughtful, and encouraging voice. In addition to recipes, Lebo invites readers to ruminate on the social history, the meaning, and the place of pie in the pantheon of favorite foods. When you have mastered the art, science and magic of creating the perfect pie in *Pie School*, everyone will want to be your friend.

fruit from a poisonous tree: *Toxicology and Human Environments* Ernest Hodgson, 2012-09-28 Environmental toxicology is generally held to be the study of the potential of constituents of outdoor environments to impact either human health or the biological structure of the ecosystems involved. This volume is a first attempt to integrate toxicological studies of all of the many human environments, both indoor and outdoor, and their complex interrelationships. Included are considerations of natural environments, the agroecosystem, occupational, urban and domestic environments as well as the environment associated with Superfund sites and military deployments. The primary emphasis is on public health, including the potential health effects of toxicants found in different environments, the bioprocessing of such toxicants in humans and surrogate animals and the principles of risk analysis. Approaches the toxicology of human environments in a new and unique way, stressing the complex interrelationships of all human environments and the implication for human and environmental health Each chapter is written by an acknowledged expert and is addressed to those interested in the broader implications of the environmental modifications that are always associated with the activities of humans living and working in them

fruit from a poisonous tree: *AMA Handbook of Poisonous and Injurious Plants* Kenneth F. Lampe, Mary Ann McCann, 1985 Section II and III discuss plant dermatitis and mushroom poisoning ... Because the identification of mushrooms from photographs is uncertain, Section III depends upon description of the symptom complex for differential diagnosis and suggested management.--Pref.

fruit from a poisonous tree: *Competition Law of the European Union* Van Bael & Bellis, 2021-03-01 This new Sixth Edition of a major work by the well-known competition law team at Van Bael & Bellis in Brussels brings the book up to date to take account of the many developments in the case law and relevant legislation that have occurred since the Fifth Edition in 2010. The authors have also taken the opportunity to write a much-extended chapter on private enforcement and a dedicated section on competition law in the pharmaceutical sector. As one would expect, the new edition continues to meet the challenge for businesses and their counsel, providing a thoroughly practical guide to the application of the EU competition rules. The critical commentary cuts through the theoretical underpinnings of EU competition law to expose its actual impact on business. In this comprehensive new edition, the authors examine such notable developments as the following: important rulings concerning the concept of a restriction by object under Article 101; the extensive case law in the field of cartels, including in relation to cartel facilitation and price signalling; important Article 102 rulings concerning pricing and exclusivity, including the Post Danmark and Intel judgments, as well as standard essential patents; the current block exemption and guidelines applicable to vertical agreements, including those applicable to the motor vehicle sector; developments concerning online distribution, including the Pierre Fabre and Coty rulings; the

current guidelines and block exemptions in the field of horizontal cooperation, including the treatment of information exchange; the evolution of EU merger control, including court defeats suffered by the Commission and the case law on procedural infringements; the burgeoning case law related to pharmaceuticals, including concerning reverse payment settlements; the current technology transfer guidelines and block exemption; procedural developments, including in relation to the right to privacy, access to file, parental liability, fining methodology, inability to pay and hybrid settlements; the implementation of the Damages Directive and the first interpretative rulings. As a comprehensive, up-to-date and above all practical analysis of the EU competition rules as developed by the Commission and EU Courts, this authoritative new edition of a classic work stands alone. Like its predecessors, it will be of immeasurable value to both business persons and their legal advisers.

fruit from a poisonous tree: Silent Weapons for Quiet Wars Anonymous, 2022-11-30 This is the top secret manual said to be found by accident in 1986 by an employee of Boeing Aircraft. He bought a surplus IBM copier for scrap parts at a government sale and found the manual inside. The manual outlines a plan to control the masses through manipulation of industry, education and politics, and to divert the public's attention from what is really going on. Surprisingly, it is claimed that much of what is outlined has come to pass, and makes interesting reading for those exploring the deeper levels of our social structure and how it may be controlled or influenced. This Book Tree edition includes all of the important charts and diagrams not seen in other versions. It is an exact replica of the original, aside from some minor alterations to correct print quality. Found in this edition only is a new, four-page Introduction. It explains why we may never be certain of the true origin of this document, despite the fact that someone has stepped forward and claimed that they assembled it from multiple sources.

fruit from a poisonous tree: ODE TO A NIGHTINGALE John Keats, 2017-08-07 This eBook edition of Ode to a Nightingale has been formatted to the highest digital standards and adjusted for readability on all devices. Ode to a Nightingale is either the garden of the Spaniards Inn, Hampstead, London, or, according to Keats' friend Charles Armitage Brown, under a plum tree in the garden of Keats House, also in Hampstead. According to Brown, a nightingale had built its nest near his home in the spring of 1819. Inspired by the bird's song, Keats composed the poem in one day. It soon became one of his 1819 odes and was first published in Annals of the Fine Arts the following July. Ode to a Nightingale is a personal poem that describes Keats's journey into the state of Negative Capability. The tone of the poem rejects the optimistic pursuit of pleasure found within Keats's earlier poems and explores the themes of nature, transience and mortality, the latter being particularly personal to Keats. The nightingale described within the poem experiences a type of death but does not actually die. Instead, the songbird is capable of living through its song, which is a fate that humans cannot expect. John Keats (1795-1821) was an English Romantic poet. The poetry of Keats is characterized by sensual imagery, most notably in the series of odes. Today his poems and letters are some of the most popular and most analyzed in English literature.

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