

2.05 & 2.06

Landmark Supreme Court Cases: Interpreting the Constitution since 1791

14th Amendment

- Plessey v. Ferguson, 1896*
 - "Separate but equal"
 - 50 years of de jure segregation (segregation by law)
- Brown v. Board of Education of Topeka, KS, 1954*
 - Original intent of the 14th amendment was integration

8th Amendment

- Furman v. Georgia, 1972*
 - Moratorium put on death sentences until states better clarify when applicable
- Gregg v. Georgia, 1976*
 - Death penalty is not cruel & unusual punishment
 - "cruel and unusual in the same way that being struck by lightning is cruel and unusual." –Justice Potter Stewart

4th Amendment: Search & Seizure

Mapp v. Ohio

- Suspect's house is search with a fake warrant
- Court rules that evidence obtained illegally may be excluded "Exclusionary rule"

Wardlow v. Illinois

- Police may stop and search a suspect if there is "reasonable suspicion"

6th Amendment: Right to counsel

- Gideon v. Wainwright, 1963*
 - Extended the right to counsel
 - All courts must provide counsel, even to those who cannot afford counsel

5th Amendment: Eminent Domain

- Kelo v. City of New London, CT*
 - Private land can be taken for the economic development of a community
 - Previously it had been used only for providing public services (roads, schools, etc.)

9th Amendment: Unenumerated Rights

- Roe v. Wade, 1973*
 - Unenumerated** right to privacy
 - Did not “legalize abortion”, but:
 - put medical care in the privacy of the patient & physician
 - States must weigh right with protecting prenatal life & mother’s health

1st Amendment: Freedom of the Press

- NY Times v. United States, 1971*
 - Gov’t cannot enact “prior restraint” to stop the publication of information that is to the benefit the public about their gov’t –especially “misdeeds”

1st Amendment: Freedom of Speech

- Schenck v. United States, 1917*
 - Court ruled that citizens cannot speak out against the draft during wartime it posed a “clear & present danger”
 - Case put limits on “free speech”

1st Amendment: Freedom of Religion

- Engle v. Vitale, 1962*
 - NY Regents prayer found to be unconstitutional
 - Gov’t institution cannot compose a formal prayer
 - Cannot compel recitation of prayer
 - “Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our Country.”