

8.6

Freedom & Security of the Person

Involuntary Servitude

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Also known as forced labor, while slavery is outlawed we still have cases this

Anti-Peonage Act- Crime to force someone to work to fulfil a contract or debt

The draft is considered a “duty” rather than forced labor

Discrimination- Prejudice & unfairness towards a person based on race or religion

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Right to Keep & Bear Arms

**Should you be able to purchase any gun you want?
Does the 2nd amendment allow this?**

**This is a hotly debated topic that has changed
interpretation by the Supreme Court**

**State & federal laws will debate constantly on
these issues**

Security of Home & Person

3rd & 4th Amendments say government cannot violate the home or person without just cause

Writs of Assistance- Blanket search warrants for British to search for smuggled goods

Probable Cause- Reasonable suspicion of a crime, do not need a search warrant.

If evidence is in plain view they can also arrest without a warrant

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The 4th Amendment

Police can arrest without a warrant in a public space or if someone breaks “common sense”

Officers cannot use physical force or show of authority to restrain liberty of a person

Vehicles can be searched with no warrant as they can be a “moveable crime scene”

They can search ANYTHING in a vehicle

Exclusionary Rule

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Evidence gained as the result of an illegal act by police cannot be used at trial

This applies to federal & state officers “as you enforce the law, obey the law”

Mandatory Drug testing is allowed & conducted without warrants or indication of a drug.

This means random drug testing is legal and can happen at any time

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Exclusionary Rule

USA Patriot Act- Allowed powers to combat terrorist activities & “sneak & peak searches”

Wiretapping or “bugging” is allowed as it is not a search, but need a warrant

Balancing liberty & security is tricky & is there a line you cannot cross?

The Right of Privacy

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, muted tones.

The right to be free, except in limited circumstances, from unwanted government intrusions

This allows you privacy in health related matters or sexuality

Abortion is an issue that is still debated today. Is this a law that falls under privacy?