**THE BILL OF RIGHTS**

A.THE FIRST AMENDMENT

1. Freedom of Speech includes the freedom not to speak; the government cannot

   force you to endorse any symbol or slogan.

2. Freedom of Religion

a. Free exercise clause protects religious belief absolutely and religious conduct cannot be regulated for that reason

b. Under the establishment clause, the government may not endorse one

    religion over another or religion over non-religion.

3. Freedom of the Press

4. Freedom of Assembly

5. Freedom of Petition

B.  THE SECOND AMENDMENT

1. The Second Amendment was inserted into the Bill of Rights to protect the role of  the states in maintaining and arming the militia.

2. The Second Amendment prevented federal laws that would infringe upon the

    possession of arms by individuals.

C. THE THIRD AMENDMENT

1. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war.

2. Historically, the English quartered troops in colonist’s homes, which was unpopular with the colonists.

D. THE FOURTH AMENDMENT

1. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath describing the place to be searched, and the persons or things to be seized.

1. Arrests

Must be based on probable cause

Must knock and announce before entering unless unusual or dire circumstances

* 1. Stops

Police may stop a person without probable cause if they have a reasonable suspicion of past or present criminal activity

After stopping a suspect, police may “frisk” the suspect if they have a reasonable suspicion that the suspect may be armed

2. Search and Seizure

a. Police may not conduct a search without probable cause and a valid warrant

b. Suspect can object to a search if they own the property, the search is

    conducted at their home

c. A warrant is not required to search an automobile and, if police have full

    probable cause to search a vehicle

3. Requirements of a valid warrant

a. Probable cause is based upon the circumstances, and considers the nature of he informant and information

b. Describes with reasonable precision the place to be searched and the items to be seized

4. Consent

a. Police may always conduct a warrant-less search if they have a voluntary consent to do so

b. Any person with an apparent equal right to use or occupy the property may consent to a search

E.  THE FIFTH AMENDMENT

1. No person shall be held to answer for a capital, or otherwise infamous crime,

    unless on a presentment or indicment of a grand jury, except in cases arising

in the land or naval forces, or in the militia, when in actual service in time of

war or public danger

2. No person be subject for the same offense to be twice put in jeopardy of life or

limb

3. No person shall be compelled in any criminal case to be a witness against

himself

4. No person shall be deprived of life, liberty, or property, without due process of

law

5. Private property be taken for public use, without just compensation.

a. Private property shall not be taken for public use, without just compensation

b. Just compensation is determined at the time of the taking

F. THE SIXTH AMENDMENT (Rights of the accused)

1. the right to a speedy and public trial

2. an impartial jury of the state and district wherein the crime shall have been

    committed

3. to be informed of the nature and cause of the accusation

4. to be confronted with the witnesses against him

5. to have the right to call witnesses in his favor

6. to have the assistance of counsel for his defense.

G. THE SEVENTH AMENDMENT

1. In suits at common law, where the value in controversy shall exceed twenty dollars, you have the right of trial by jury shall be preserved,

H.  THE EIGHTH AMENDMENT

1. Excessive bail shall not be required

2. Excessive fines shall not be imposed

3. Cruel and unusual punishments shall not be inflicted.

I THE NINTH AMENDMENT

1. Individuals have rights beyond what are actually listed in the Constitution.

2. Has been interpreted to be one of the bases for the right to privacy.

J. THE TENTH AMENDMENT

1. The powers not given to the United States by the Constitution, nor prohibited

by it to the states, are reserved to the states

2. States can make laws and have powers which are not given to the Federal

    government