

## Landmark Cases - More Cases - Jumble

In the table below are the facts of 11 Landmark Supreme Court Cases and Supreme Court rulings of the same 11 cases. However, the facts and the rulings are jumbled. Your job is to use your textbook and the Internet to match the facts of the case and Supreme Court ruling with each case on the blank chart.

Facts of the Case	Constitutional Question	Supreme Court Ruling
<ul style="list-style-type: none"> <li>- After Civil Rights Act of 1964 some hotels, bars, restaurants, etc still refused service to Africa Americans</li> <li>- The motel sued the US gov't to enforce the Civil Rights Act so they could continue refusing service</li> </ul>	<p>*Are Louisiana's laws requiring separate but equal facilities a violation of the 14<sup>th</sup> amendment's "equal protection of the law"?</p>	<p>The court ruled that the New Hampshire legislature violated Art. 1 Sect. 10 when it placed the college under state control.</p>
<ul style="list-style-type: none"> <li>- The New Hampshire state legislature passed a series of laws changing the university from a private university to a public one, controlled by the state.</li> </ul>	<p>* Were federal courts constitutionally authorized to oversee and produce remedies for state-imposed segregation?</p>	<p>* The court ruled that the Civil Rights Act was constitutional because the commerce clause (1.8) of the constitution permitted Congress to regulate interstate trade.</p>
<ul style="list-style-type: none"> <li>- Dred Scott, a slave, was taken to live in several non-slave states before returning to Missouri, a slave state.</li> <li>- Scott claimed he was free because he had lived in free states.</li> </ul>	<p>* Does the <b>due process clause of the 14<sup>th</sup> amendment</b> apply to a woman's right to choose to have an abortion?</p>	<p>* The court ruled that Congress does have the right to regulate navigation as part of "interstate trade." * Congress has no right to regulate trade that is contained within the boundary of a state but can regulate trade in full force once the state boundary lines are crossed.</p>
<ul style="list-style-type: none"> <li>- Furman broke into a home to rob it.</li> <li>- The homeowner came out and as Furman was running away he tripped and fell, the gun went off and killing the homeowner.</li> </ul>	<p>* University trustees argued that New Hampshire's laws violated their <b>constitutional rights to make contracts</b> * <b>Article 1 Section 10</b></p>	<p>* the court ruled that a woman does have the right to have an abortion BUT set a limitation as the first trimester (3 months) of the pregnancy. When the fetus is viable then abortion may only occur if the mother's life is at risk.</p>
<ul style="list-style-type: none"> <li>- During the 1972 election campaign men were caught breaking into Democratic election headquarters.</li> <li>- The break-ins were linked to the White House (Nixon).</li> <li>- Nixon was asked to turn over tapes and he claimed executive privilege.</li> </ul>	<p>* Is Scott a citizen, which would give him the right to sue in federal court? * Did Scott gain his freedom by moving to a free state?</p>	<p>*The court upheld the Louisiana law saying that separate facilities "do not necessarily imply the inferiority of either race" and established a doctrine called "separate but equal."</p>
<ul style="list-style-type: none"> <li>- Louisiana had a law requiring "separate but equal facilities" for white and black people</li> <li>- Homer Plessy tested the law by sitting in the white section of a train</li> <li>- He was ordered to move but refused and was arrested</li> </ul>	<p>* Questioned the <b>Commerce Clause of the Constitution in Art. 1 Sect. 8.</b> * Does Congress have the right to regulate navigation as part of "interstate trade"? * If so, how much and is this a concurrent power shared with the states?</p>	<p>* The court ruled that juveniles are guaranteed the right to a notice of charges, the right to an attorney, the right to cross-examine witnesses, confront their accuser and to remain silent.</p>

<p>- Bakke was denied admission to the medical school at UCA-Davis.</p> <p>- He sued the school for admission claiming he had been discriminated against.</p>	<p>* What are the powers of Congress under the <b>Federal System</b>?</p> <p>* What is the relationship between federal and state authorities?</p>	<p>* The court ruled that separate but equal facilities are a violation of the 14<sup>th</sup> amendment with no place in public education and create a feeling of inferiority.</p>
<p>- Linda Brown applied for admission to an all white school and was denied</p> <p>- The NAACP combined this case with 4 others all denying admission to black students.</p>	<p>* Do juveniles facing criminal charges have the same rights as adults under the <b>14<sup>th</sup> amendments due process clause</b>?</p>	<p>* The court ruled that as it was being applied, the death penalty was cruel and unusual punishment.</p> <p>* The death penalty itself was not unconstitutional but the rules and procedures were.</p>
<p>- even after Brown v. Board of Ed. desegregation progressed slowly</p> <p>- Charlotte-Mecklenburg, North Carolina, system in which approximately 14,000 black students attended schools that were either totally black or more than 99 percent black</p>	<p>* Is the Civil Rights Act unconstitutional because Congress exceeded its power to regulate commerce?</p> <p>* Is the <b>5<sup>th</sup> amendment</b> being violated because a business is not free to choose its customers thereby depriving that business of <b>due process</b>?</p> <p>* Is requiring business to serve all people <b>involuntary servitude</b> therefore violating the <b>13<sup>th</sup> amendment</b>?</p>	<p>* The court reaffirmed that the federal government is "supreme" and states have no right to impede laws or actions of the federal government.</p> <p>* The "necessary and proper clause gives Congress the authority to charter a bank.</p> <p>* States may not tax federal agencies.</p>
<p>- Robert Fulton was granted a monopoly to run a steamboat in NY by the NY legislature.</p> <p>- Fulton's partner gave a man named Aaron Ogden the exclusive right to run a ferry service between NY and NJ.</p> <p>- Thomas Gibbons a competitor got a license from the fed. government.</p> <p>- Ogden claimed his right to a monopoly was being infringed on.</p>	<p>* Is the death penalty in this type of case considered <b>cruel and unusual punishment as defined by the 8<sup>th</sup> Amendment</b>?</p>	<p>* if states fall short of desegregating schools, federal courts have the authority to review plans presented by the state</p> <p>* busing is a legitimate means of helping provide desegregation in schools</p>
<p>- Roe wanted to terminate her pregnancy and challenged a Texas law that said you could only get an abortion if your life was in danger.</p>	<p>* Does <b>executive privilege</b> allow the president to not turn over information to a federal court to be used in prosecution and is asking him to do so violating separation of powers as set up by the constitution?</p>	<p>* The court ruled that slaves are not US citizens (although they may be granted state citizenship) and therefore are not entitled to sue in federal court.</p> <p>* Scott did not gain his freedom by moving to a free state.</p>
<p>- The Maryland legislature puts a tax on the 2<sup>nd</sup> Bank of the United States.</p> <p>- James McCulloch did not pay the tax and continued to operate.</p> <p>- Maryland state courts ruled against McCulloch</p>	<p>* Did separate but equal facilities violate the <b>equal protection clause of the 14<sup>th</sup> amendment</b>?</p>	<p>* The court ruled that the university's admission program violated the 14<sup>th</sup> amendment, but if properly written may not be in violation.</p> <p>* Race can be a factor to ensure diversity, but race cannot be the <b>ONLY</b> factor in determining admission.</p>
<p>- Gault (15) was accused of making an obscene phone call.</p> <p>- He was arrested and taken into custody.</p> <p>- His parents were not notified, he had not been advised of his rights and did not have an attorney.</p> <p>- He was found guilty and sentenced to a juvenile facility until 21. An adult would only have been given 2 months and a \$50 fine.</p>	<p>* Did the establishment of special admissions programs violate the <b>equal protection clause of the 14<sup>th</sup> amendment</b>?</p> <p>* Are racial preference considerations always unconstitutional?</p>	<p>* The court ruled that a president may not claim executive privilege in a federal investigation and that the courts do have the authority to issue legal requests of the president.</p>