

# Political Science 10 – American Politics

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**Loren Collingwood, Political Science**

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## *Course Information*

- <http://www.collingwoodresearch.com/posc-10.html>

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- <http://www.collingwoodresearch.com/posc-10.html>
- [myforms.ucr.edu](http://myforms.ucr.edu)

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- **NYT v. United States**, Supreme Court ruled gov't could not block publication of secret Defense Department documents given to NYT
- Shield Laws: State laws that protect journalistic sources
- No federal shield law; SC has said that the press has no constitutional right to withhold information in court

# *NYT Reporter Judith Miller Jailed for Contempt*



*Valerie Plame & Joe Wilson*



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- Slander: Oral statement of such a nature is made



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- Internet Porn: “Adults have a constitutional right to receive...the level of discourse reaching the mailbox simply cannot be limited to that which would be suitable for a sandbox.” Internet entitled to the greatest degree of 1st Amendment protection.

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- **Cohen V. California: “Fuck the Draft” jacket protected because “no personally abusive epithets”**

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- Student speech and press rights restricted because of educational process; different than regular public forum

# Public Opinion on Background Checks

JANUARY 2013 POST-ABC POLL - GUNS, POLITICS AND GOVERNING PRIORITIES

## Q: Would you support or oppose a law requiring background checks on people buying guns at gun shows?

Published: April 12

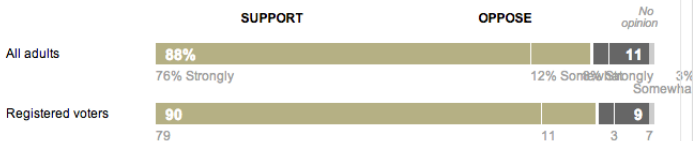
This Survey

Results Over Time

Results by Registered voters

Show results by:

Registered voters



The Washington Post - ABC News poll



# Public Opinion on Armed Guards

JANUARY 2013 POST-ABC POLL - GUNS, POLITICS AND GOVERNING PRIORITIES

## Q: Would you support or oppose a law requiring placing an armed guard in every school in the country?

Published: April 12

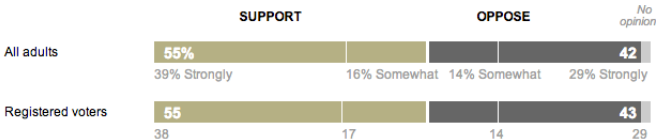
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- **First new incorporation decision of Court in 40 years**

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- “All evidence obtained by searches and seizures in violation of the constitution ... is inadmissible” in court
- In recent years, federal courts have softened application of rule. Now, it's “nature and quality of the intrusion,” making it hard to predict ahead of time whether a defendant will be protected

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- Eminent Domain: The power of any gov't to take private property for public use. 5th Amend. puts limits on that inherent power via procedures that require a showing of a public purpose & fair payment

## *Sixth Amendment: Right to Counsel*

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- **Therefore can be somewhat controversial**

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- Drawing and quartering, public dissection, burning alive, or disembowelment constitute cruel and unusual punishment regardless of crime (**Wilkerson v. Utah 1878**)
- Executing mentally handicapped (**Atkins v. Virginia, 2002**), and executing people under age 18 (**Roper v. Simmons, 2005**)

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- **Simplicity of equal protection clause (14th) left it open for interpretation**



## *Separate But Equal*



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- **Persisted for decades**

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- "Separate educational facilities are inherently unequal." Reversed **Plessy** and legally ended segregation

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- Ten years after **Brown**, fewer than 1 percent of black school-age children in the Deep South attended schools with whites

## *Massive Resistance, White Citizens Councils*





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- Thus, social protest, and southern white violent response, paved way for congressional legislation

*Rosa Parks, Montgomery Bus Boycott*



## *Police Brutality*

