

## A SCOTUS History of the Bill of Rights

### Amendment I

**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.**

#### ***obscenity***

- *Regine v. Hicklin* (1864)
- *Roth v. United States* (1957)
- *Jacobellis v. Ohio* (1964)
- *Memoirs v. Massachusetts* (1966)
- *Miller v. California* (1973)
- *FCC v. Pacifica* (1978)
- *New York v. Ferber* (1982)
- *State v. Henry* (1987)
- *Reno v. ACLU*<sup>1</sup> (1997)

#### ***religion and public education***

- *West Virginia State Board of Education v. Barnette* (1943)
- *Everson v. Board of Education* (1947)
- *Engel v. Vitale* (1962)
- *Abington School District v. Schempp* (1963)
- *Lemon v. Kurtz* (1971)
- *Wallace v. Jaffree* (1985)
- *Santa Fe Independent School District v. Doe* (2000)

#### ***campaign finance***

- *Buckley v. Valeo* (1976)
- *FEC v. National Conservative PAC*<sup>2</sup> (1985)
- *FEC v. Massachusetts Citizens for Life* (1986)
- *McConnell v. FEC*<sup>3</sup> (2003)
- *FEC v. Wisconsin Right to Life, Inc.* (2007)
- *Citizens United v. FEC* (2010)

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<sup>1</sup> American Civil Liberties Union

<sup>2</sup> Political Action Committee

<sup>3</sup> Federal Election Commission

- *McCutcheon v. FEC* (2014)

## **Amendment II**

**A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.**

- *United States v. Cruikshank* (1875)
- *Presser v. Illinois* (1886)
- *United States v. Miller* (1939)
- *District of Columbia v. Heller* (2008)
- *McDonald v. City of Chicago* (2010)
- *Caetano v. Massachusetts* (2016)

## **Amendment III**

**No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.**

*Engblom v. Carey*<sup>4</sup> (1982)

## **Amendment IV**

**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 or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.**

- *Boyd v. United States* (1886)
- *Weeks v. United States* (1914)
- *Hester v. United States* (1924)
- *Olmstead v. United States* (1928)
- *Mapp v. Ohio* (1961)
- *Katz v. United States* (1967)

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<sup>4</sup> This decision was *not* rendered by SCOTUS but by the United States Court of Appeals for the Second Circuit based in New York City.

- *Warden v. Hayden* (1967)
- *Terry v. Ohio* (1968)
- *Smith v. Maryland* (1979)
- *Payton v. New York* (1980)
- *United States v. Mendenhall* (1980)
- *New York v. Belton* (1981)
- *United States v. Knox* (1983)
- *United States v. Place* (1983)
- *Oliver v. United States* (1983)
- *New Jersey v. T.L.O.* (1984)
- *United States v. Karo* (1984)
- *Immigration and Naturalization Service v. Delgado* (1984)
- *California v. Ciraolo* (1986)
- *Arizona v. Hicks* (1987)
- *California v. Greenwood* (1988)
- *Graham v. Conner* (1989)
- *Skinner v. Railway Labor Executives' Association* (1989)
- *Vernonia School District 47J v. Acton* (1995)
- *Kyllo v. United States* (2001)
- *Board of Education of Independent School District No. 92 of Pottawatomie City v. Earls* (2002)
- *Illinois v. Caballes* (2005)
- *Georgia v. Randolph* (2006)
- *Herring v. United States* (2009)
- *Arizona v. Gant* (2009)
- *Safford Unified School District v. Redding* (2009)
- *City of Ontario v. Quon* (2010)
- *United States v. Jones* (2012)
- *Riley v. California* (2014)
- *Heien v. North Carolina* (2014)

## **Amendment V**

**No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment 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; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be**

**deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.**

- *Twining v. New Jersey* (1908)
- *Palko v. Connecticut* (1937)
- *Bolling v. Sharpe* (1954)
- *Kent v. Dulles* (1958)
- *Griffin v. California* (1965)
- *Albertson v. Subversive Activities Control Board* (1965)
- *Miranda v. Arizona* (1966)
- *Sheppard v. Maxwell* (1966)
- *Gilbert v. California* (1967)
- *Heath v. Alabama* (1985)
- *United States v. Felix* (1992)
- *United States v. Hubbell* (2000)
- *Hübel v. Sixth Judicial Court of Nevada, Humboldt County* (2004)

### **Amendment VI**

**In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.**

- *Strauder v. West Virginia* (1880)
- *Powell v. Alabama* (1932)
- *Johnson v. Zerbst* (1938)
- *Betts v. Brady* (1942)
- *Glasser v. United States* (1942)
- *Irvin v. Dowd* (1959)
- *Hamilton v. Alabama* (1961)
- *Douglas v. California* (1963)
- *Gideon v. Wainwright* (1963)
- *Swain v. Alabama* (1965)
- *Pointer v. Texas* (1965)

- *Cheff v. Schnackenberg* (1966)
- *Anders v. California* (1967)
- *Klopper v. North Carolina* (1967)
- *Bruton v. United States* (1968)
- *Duncan v. Louisiana* (1968)
- *Witherspoon v. Illinois* (1968)
- *Frazier v. Cupp* (1969)
- *Williams v. Florida* (1970)
- *Argersinger v. Hamlin* (1972)
- *Barker v. Wingo* (1972)
- *Apodaca v. Oregon* (1972)
- *Chambers v. Mississippi* (1973)
- *Ham v. South Carolina* (1973)
- *Moore v. Arizona* (1973)
- *Faretta v. California* (1975)
- *Ballew v. Georgia* (1978)
- *Burch v. Louisiana* (1979)
- *Ohio v. Roberts* (1980)
- *Adams v. Texas* (1980)
- *McKaskle v. Wiggins* (1984)
- *Strickland v. Washington* (1984)
- *Batson v. Kentucky* (1985)
- *Wainwright v. Witt* (1985)
- *Nix v. Whiteside* (1986)
- *Blanton v. City of North Las Vegas* (1989)
- *Walton v. Arizona* (1990)
- *Maryland v. Craig* (1990)
- *Doggett v. United States* (1991)
- *Morgan v. Illinois* (1992)
- *Nichols v. United States* (1994)
- *Apprendi v. New Jersey* (2000)
- *Ring v. Arizona* (2002)
- *Bell v. Cone* (2002)
- *Crawford v. Washington* (2004)
- *Blakely v. Washington* (2004)
- *Schriro v. Summerlin* (2004)
- *United States v. Booker* (2005)
- *Cunningham v. California* (2007)
- *Padilla v. Commonwealth of Kentucky* (2010)
- *Presley v. Georgia* (2010)

- *Southern Union Company v. United States* (2012)

### **Amendment VII**

**In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.**

- *Parsons v. Bedford* (1830)
- *Minneapolis & St. Louis Railroad Company v. Bombolis* (1916)
- *Dimick v. Schiedt* (1935)
- *Baltimore & Carolina Line, Inc. v. Redman* (1935)
- *Colgrove v. Battin* (1973)
- *Feltner v. Columbia Pictures Television, Inc.* (1998)

### **Amendment VIII**

**Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.**

- *Wilkerson v. Utah* (1879)
- *Rooney v. North Dakota* (1905)
- *Francis v. Resweber* (1947)
- *Robinson v. California* (1962)
- *McGautha v. California* (1971)
- *Furman v. Georgia* (1972)
- *Gregg v. Georgia* (1976)
- *Woodson v. North Carolina* (1976)
- *Estelle v. Gamble* (1976)
- *Coker v. Georgia* (1977)
- *Godfrey v. Georgia* (1980)
- *Edmund v. Florida* (1982)
- *Solem v. Helm* (1983)
- *Spanziano v. Florida* (1984)
- *Ford v. Wainwright* (1986)
- *McCleskey v. Kemp* (1987)
- *Thompson v. Oklahoma* (1988)

- *South Carolina v. Gathers* (1989)
- *Stanford v. Kentucky* (1989)
- *Penry v. Lynaugh* (1989)
- *Harmelin v. Michigan* (1991)
- *Payne v. Tennessee* (1991)
- *United States v. Bajakajian* (1998)
- *Atkins v. Virginia* (2002)
- *Ewing v. California* (2003)
- *Roper v. Simmons* (2005)
- *Hill v. McDonough* (2006)
- *Baze v. Rees* (2008)
- *Kennedy v. Louisiana* (2008)
- *Leal Garcia v. Texas* (2011)
- *Glossip v. Gross* (2015)

### **Amendment IX**

**The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.**

- *Barron v. Baltimore* (1833)
- *Griswold v. Connecticut* (1965)
- *United States v. Vuitch* (1971)
- *Doe v. Bolton* (1973)
- *Roe v. Wade* (1973)
- *Colautti v. Franklin* (1979)

### **Amendment X**

**The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.**

- *McCulloch v. Maryland* (1819)
- *National League of Cities v. Ursery* (1976)
- *Garcia v. San Antonio Metropolitan Transit Authority* (1985)
- *Bond v. United States* (2011)
- *King v. Burwell* (2015)