



# Protection against the Government

- The first ten amendments were added to protect citizen's rights against actions by the national government.
- The rights fall into three main categories:
  1. Individual freedoms
  2. Protections against government abuse of power
  3. Rights of citizens accused of crimes

# 1st Amendment

- The 1st Amendment guarantees freedom of religion, speech, the press, assembly, and petition.
- This means that we all have the right to:
  - practice any religion we want to
  - to speak freely
  - to assemble (meet)
  - to address the government (petition)
  - to publish newspapers, TV, radio, Internet (press)





QuickTime™ and a  
TIFF (Uncompressed) decompressor  
are needed to see this picture.



# Protections of Individual Freedoms

- Individual freedoms are outlined in the first amendment. They include the freedom of religion, speech, press, assembly, and petition.
- Freedom of Religion: Every American is free to follow the religion of his/her choice, or not to practice any religion at all. This right also extends to the “separation of church and state”, which means that government may not favor any religion or establish an official religion.

# Protections of Individual Freedoms

- Freedom of Speech: Americans have the right to speak and write freely, to say what they believe. There are limits (ex. slander), but the law is intended to allow you to express your opinions, no matter how much other people may dislike or disagree with them.
- Freedom of the Press: The government cannot control what may be printed. This right guarantees that people may criticize the government without fearing arrest. In this way, people are free to gather information and to hear different opinions. There are also some limits to this freedom as well (ex. libel).



# Protections of Individual Freedoms

- Freedom of Assembly: Citizens have the right to assemble, or meet together. A group may hold a demonstration or protest as long as their demonstration is peaceful and does not violate the rights of other citizens.
- Freedom of Petition: A citizen has the right to ask a government representative to change a law, make a new law, or to solve problems that arise. A petition is a request made by many citizens.

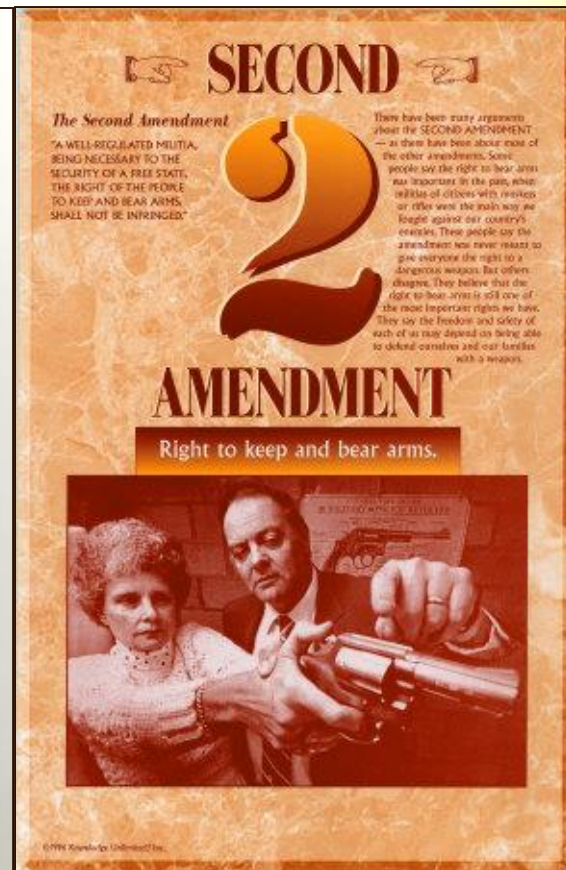
# Protections Against Abuse of Power

- The second, third, fourth, and fifth amendments help protect citizens from abuse of power by police, judges, and other government officials.



# Protections Against Abuse of Power

- Gun Ownership: The second amendment deals with the rights of citizens to own guns. The exact meaning of this amendment has been debated throughout our nation's history. The amendment states, "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."



# Protections Against Abuse of Power

- Housing of Soldiers: The **third amendment** states that the government must obtain an owner's consent to use their house as living quarters for soldiers – except during wartime.
- Protecting Property Rights: The **fifth amendment** allows that if the government takes away a citizen's property to use in public service, the owners must be paid a fair price. This is the clause of "eminent domain" – the government has the power to take private property for public use.



# Protections Against Abuse of Power

- Unreasonable Searches and Seizures: Under the fourth amendment, police officers cannot search a citizen or a citizen's home without a valid reason.
- The police must obtain a search warrant – written permission from a judge – to search citizens, their homes, or their belongings. The police must convince a judge that they are likely to find evidence of a crime.



Vednesday, March 31, 1999 11:08 PM

Richard Ball 3328438

MAR 31 '99 23:00 FR

Wednesday, March 31, 1999 10:07 PM

Richard Ball 3328438

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EAST LANSING POLICE

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STATE OF MICHIGAN  
54-B JUDICIAL DISTRICT

CASE NUMBER

AFFIDAVIT FOR SEARCH WARRANT

POLICE RPT NUMBER  
ELPD 1707-C-99

Ofc. Marc Smith, affiant, states that:

1. The person, place, or thing to be searched is described as and is located at:

Meijers, located at 1350 W. Lake Lansing Road, East Lansing, County of Ingham.

2. The Property to be searched for and seized, if found, is specifically described as:

Photographs and negatives processed by Meijer's Photo Department submitted by David McCleary which contain evidence of property damage to a Dewitt Township Police Department vehicle and other property damage that occurred in East Lansing on March 27-28, 1999.

3. The FACTS establishing probable cause or the grounds for the search are:

- A. Affiant is a police officer with the East Lansing Police Department and has been employed for approximately 5 years. Affiant was dispatched to Meijers on information that negatives had been brought in for processing and that those negatives captured images from the civil disorder/riot of March 27-28, 1999.
- B. At approximately 10:00 p.m. on March 27, 1999, a large number of individuals in the East Lansing/Michigan State University campus area started a civil disorder/riot as a result of the Final Four Basketball Playoff's earlier that evening. The riot lasted until approximately 6:00 a.m. on March 28, 1999.
- C. During the riot, a large amount of property damage occurred in East Lansing and the campus of Michigan State University, including damage that occurred to a Dewitt Township Police vehicle that was caused by overturning the vehicle, kicking out the windows and starting the vehicle on fire. This occurred at Bogus St. and Waters Edge Street in the City of East Lansing, County of Ingham.

McCleary  
R2  
3/31/99  
11047m



# Protections of the Accused

- The rights of the accused are spelled out in the fifth, sixth, seventh, and eight amendments. The protections offer due process (a process by which the government must treat accused persons fairly according to the law).

# Protections of the Accused

- The 5th Amendment protects people from being held for committing a crime unless they are properly indicted, (accused)
- You may not be tried twice for the same crime (double jeopardy)
- You don't have to testify against yourself in court. (Self-incrimination)



# Protections of the Accused

- The [6th Amendment](#) guarantees a speedy **criminal trial** (you can't be kept in jail for over a year without a trial)
- an impartial jury (doesn't already think you are guilty)
- that the accused can confront witnesses against them
- the accused must be allowed to have a lawyer



# Protections of the Accused

- The 7th Amendment guarantees the right to a speedy civil trial.
- A civil trial differs from a criminal trial. A civil trial is when someone sues someone else. A criminal trial is when the state tries to convict someone of a crime.



# Protections of the Accused

- Bail, Fines, and Punishments:  
The eighth amendment protects accused persons from unfair treatment. The amendment forbids the amount of bail from being unfairly high and protects people from “cruel and unusual punishments.”  
There is still debate over whether the death penalty can be considered cruel and unusual.





# Protections of Other Rights

- The Ninth Amendment: states that citizens' rights are not limited to the ones listed in the Constitution. This amendment was added by James Madison, who was concerned that the Bill of Rights might be used to limit rights to only those listed specifically.
- The Tenth Amendment: declares that those powers not claimed by the federal government are reserved to the state governments.