

Landmark Supreme Court Cases in a Nutshell

What prompted these cases?

American Government, Semester 2, resource

1st Amendment (Freedom of Speech)

Schenck v. United States (1919)

Schenck distributed propaganda to potential military draftees encouraging them to OPPOSE the draft.

Gitlow v. New York

Gitlow was a member of an extremist organization that published a “Left Wing Manifesto” advocating a violent overthrowing of a state government.

Tinker v. Des Moines

High school students (brother and sister, last name Tinker) wore black armbands as a silent protest to the Vietnam War. The school board banned the students from wearing armbands, students that wore the armbands were suspended from school. The ACLU helped represent the families of the students who were suspended.

Brandenburg v. Ohio

Brandenburg was a leader in the KKK. He invited a local television station to come videotape a KKK rally, where he advocated violence against the government. He was arrested and sentenced for 10 years in prison, he appealed his case, it went all the way to the Supreme Court.

Cohen v. California (1971)

Cohen wore a jacket saying “F*** the DRAFT” in a California court house, and was arrested for wearing it.

Miller v. California (1973)

Miller advertised the and distributed pornographic books.

Texas v. Johnson (1989)

Johnson burned an American Flag at the a political party convention held in Texas.

Engel v. Vitale (1962)

A school district in New York would open the day with a Christian prayer. Families that were not Christian complained that this voluntary prayer was a contradiction to their beliefs.

Lemon v. Kurtzman (1971)

In Pennsylvania, the state was re-imbursing private schools for expenses that were non-religious (i.e. teacher salaries, textbook costs, for non-religious courses)

4th Amendment (Search and Seizure)

Mapp v. Ohio Police forced their way into Mapp's house, searching for a fugitive, without a search warrant. The police found a trunk full of obscene pornographic material in Mapp's basement, and Mapp was arrested for possession of pornographic materials.

Katz v. United States Katz used a public pay phone to communicate illegal gambling. The FBI used a recording device on the public phone booth to record Katz, and the recording was used as evidence against Katz.

Terry v. Ohio Two men, Terry and Chilton, were seen by a policeman, acting in a "suspicious manner." They walked slowly past the same store front 5 or 6 times, back and forth, on the same block. Each time they would stop and conference quietly on the corner. They were then joined by a third man at the corner. A plainclothes police officer approached the men, frisked them, and Terry and Chilton were both found to be carrying a concealed gun.

Tennessee v. Garner A neighbor heard commotion and called police, saying a burglary was happening next door. The police arrived, and one officer went in the backyard of the house being burglarized in time to see a man (Garner) fleeing. The officer order Garner to stop, Garner ignored the officer and was climbing the fence in the backyard, the officer shot Garner, Garner ended up dying in the ambulance. Garner was 15 years old.

Minnesota v. Carter A police officer was going into an apartment building to see an informant. The officer observed piles of a white substance, baggies, and guns as an apartment door opened and closed, the same officer observed bags of a white substance and a gun on the floorboard of a car as the car door opened and closed behind the apartments, the two men in the car, Carter and Johns, were arrested. The apartment was searched, as well as the car, and traces of cocaine residue was discovered, and the evidence was used to convict Carter and Johns, even though the apartment was not their place of residence.

Kyllo v. United States Police used a thermal imaging device outside of Kyllo's home, without a search warrant. The reasoning behind the use of the thermal imaging device was to determine if the home gave off more radiant heat than normal, because if one was to grow marijuana inside their home, they would need to use a lot of light.

Horton v. California Wallaker, treasurer of the San Jose coin club, was assaulted and robbed when returning home after a show. Police found reason and a warrant to search Horton's house, believing that he had been the one to rob Wallaker. The warrant stated that they were to seize anything stolen from Wallaker. The police did not find any of the stolen property at Horton's home, but they did find the same weapons that were used in the armed robbery, as well as an advertisement for the coin club show.