

Supreme Court Cases: Civil Rights

Case Link	Description
Worcester v. Georgia (1832)	<p>“In September 1831, Samuel A. Worcester and others, all non-Native Americans, were indicted in the supreme court for the county of Gwinnett in the state of Georgia for "residing within the limits of the Cherokee nation without a license" and "without having taken the oath to support and defend the constitution and laws of the state of Georgia." They were indicted under an 1830 act of the Georgia legislature entitled "an act to prevent the exercise of assumed and arbitrary power by all persons, under pretext of authority from the Cherokee Indians." Among other things, Worcester argued that the state could not maintain the prosecution because the statute violated the Constitution, treaties between the United States and the Cherokee nation, and an act of Congress entitled "an act to regulate trade and intercourse with the Indian tribes." Worcester was convicted and sentenced to "hard labour in the penitentiary for four years." The U.S. Supreme Court received the case on a writ of error.” (Oyez, n.d.)</p>
Dred Scott v. Sandford (1857)	<p>“Dred Scott was a slave in Missouri. From 1833 to 1843, he resided in Illinois (a free state) and in the Louisiana Territory, where slavery was forbidden by the Missouri Compromise of 1820. After returning to Missouri, Scott filed suit in Missouri court for his freedom, claiming that his residence in free territory made him a free man. After losing, Scott brought a new suit in federal court. Scott's master maintained that no “negro” or descendant of slaves could be a citizen in the sense of Article III of the Constitution.” (Oyez, n.d.)</p>
Plessy v. Ferguson (1896)	<p>“Louisiana enacted the Separate Car Act, which required separate railway cars for blacks and whites. In 1892, Homer Plessy – who was seven-eighths Caucasian – agreed to participate in a test to challenge the Act. He was solicited by the Comite des Citoyens (Committee of Citizens), a group of New Orleans residents who sought to repeal the Act. They asked Plessy, who was technically black under Louisiana law, to sit in a "whites only" car of a Louisiana train. The railroad cooperated because it thought the Act imposed unnecessary costs via the purchase of additional railroad cars. When Plessy was told to vacate the whites-only car, he refused and was arrested. At trial, Plessy’s lawyers argued that the Separate Car Act violated the Thirteenth and Fourteenth Amendments. The</p>

	judge found that Louisiana could enforce this law insofar as it affected railroads within its boundaries. Plessy was convicted.” (Oyez, n.d.)
Korematsu v. United States (1944)	“In response to the Japanese attack on Pearl Harbor during World War II, the U.S. government decided to require Japanese-Americans to move into relocation camps as a matter of national security. President Franklin Roosevelt signed Executive Order 9066 in February 1942, two months after Pearl Harbor. A Japanese-American man living in San Leandro, Fred Korematsu, chose to stay at his residence rather than obey the order to relocate. Korematsu was arrested and convicted of violating the order. He responded by arguing that Executive Order 9066 violated the Fifth Amendment. The Ninth Circuit affirmed Korematsu's conviction.” (Oyez, n.d.)
Brown v. Board of Education (1954)	“This case was the consolidation of cases arising in Kansas, South Carolina, Virginia, Delaware, and Washington D.C. relating to the segregation of public schools on the basis of race. In each of the cases, African American students had been denied admittance to certain public schools based on laws allowing public education to be segregated by race. They argued that such segregation violated the Equal Protection Clause of the Fourteenth Amendment. The plaintiffs were denied relief in the lower courts based on Plessy v. Ferguson, which held that racially segregated public facilities were legal so long as the facilities for blacks and whites were equal.” (Oyez, n.d.)
Regents of the University of California v. Bakke (1978)	“Allan Bakke, a thirty-five-year-old white man, had twice applied for admission to the University of California Medical School at Davis. He was rejected both times. The school reserved sixteen places in each entering class of one hundred for "qualified" minorities, as part of the university's affirmative action program, in an effort to redress longstanding, unfair minority exclusions from the medical profession. Bakke's qualifications (college GPA and test scores) exceeded those of any of the minority students admitted in the two years Bakke's applications were rejected. Bakke contended, first in the California courts, then in the Supreme Court, that he was excluded from admission solely on the basis of race.” (Oyez, n.d.)
Loving v. Virginia (1967)	“In 1958, two residents of Virginia, Mildred Jeter, a black woman, and Richard Loving, a white man, were married in the District of Columbia. The Lovings returned to Virginia shortly thereafter. The

	<p>couple was then charged with violating the state's antimiscegenation statute, which banned inter-racial marriages. The Lovings were found guilty and sentenced to a year in jail (the trial judge agreed to suspend the sentence if the Lovings would leave Virginia and not return for 25 years)." (Oyez, n.d.)</p>
<p>Lawrence v. Texas, 2003</p>	<p>"Responding to a reported weapons disturbance in a private residence, Houston police entered John Lawrence's apartment and saw him and another adult man, Tyron Garner, engaging in a private, consensual sexual act. Lawrence and Garner were arrested and convicted of deviate sexual intercourse in violation of a Texas statute forbidding two persons of the same sex to engage in certain intimate sexual conduct. In affirming, the State Court of Appeals held that the statute was not unconstitutional under the Due Process Clause of the Fourteenth Amendment." (Oyez, n.d.)</p>
<p>Roper v. Simmons (2005)</p>	<p>"Christopher Simmons was sentenced to death in 1993, when he was only 17. A series of appeals to state and federal courts lasted until 2002, but each appeal was rejected. Then, in 2002, the Missouri Supreme Court stayed Simmon's execution while the U.S. Supreme Court decided Atkins v. Virginia, a case that dealt with the execution of the mentally disabled. After the U.S. Supreme Court ruled that executing the mentally disabled (or "mentally retarded" in the vernacular of the day) violated the Eighth and 14th Amendment prohibitions on cruel and unusual punishment because a majority of Americans found it cruel and unusual, the Missouri Supreme Court decided to reconsider Simmons' case. Using the reasoning from the Atkins case, the Missouri court decided, 6-to-3, that the U.S. Supreme Court's 1989 decision in Stanford v. Kentucky, which held that executing minors was not unconstitutional, was no longer valid. The opinion in Stanford v. Kentucky had relied on a finding that a majority of Americans did not consider the execution of minors to be cruel and unusual. The Missouri court, citing numerous laws passed since 1989 that limited the scope of the death penalty, held that national opinion had changed. Finding that a majority of Americans were now opposed to the execution of minors, the court held that such executions were now unconstitutional. On appeal to the U.S. Supreme Court, the government argued that allowing a state court to overturn a Supreme Court decision by looking at "evolving standards" would be dangerous, because state courts could just as easily decide that executions prohibited by the Supreme Court (such as the execution of the mentally ill in Atkins v. Virginia) were now permissible due to a change in the beliefs of the American people." (Oyez, n.d.)</p>

<p>Shelby County v. Holder, 2013</p>	<p>“The Fourteenth Amendment protects every person's right to due process of law. The Fifteenth Amendment protects citizens from having their right to vote abridged or denied due to "race, color, or previous condition of servitude." The Tenth Amendment reserves all rights not granted to the federal government to the individual states. Article Four of the Constitution guarantees the right of self-government for each state. The Voting Rights Act of 1965 was enacted as a response to the nearly century-long history of voting discrimination. Section 5 prohibits eligible districts from enacting changes to their election laws and procedures without gaining official authorization. Section 4(b) defines the eligible districts as ones that had a voting test in place as of November 1, 1964 and less than 50% turnout for the 1964 presidential election. Such districts must prove to the Attorney General or a three-judge panel of a Washington, D.C. district court that the change "neither has the purpose nor will have the effect" of negatively impacting any individual's right to vote based on race or minority status. Section 5 was originally enacted for five years, but has been continually renewed since that time. Shelby County, Alabama, filed suit in district court and sought both a declaratory judgment that Section 5 and Section 4(b) are unconstitutional and a permanent injunction against their enforcement. The district court upheld the constitutionality of the Sections and granted summary judgment for the Attorney General. The U.S. Court of Appeals for the District of Columbia Circuit held that Congress did not exceed its powers by reauthorizing Section 5 and that Section 4(b) is still relevant to the issue of voting discrimination.” (Oyez, n.d.)</p>
<p>Masterpiece Cakeshop v Colorado Civil Rights Commission (2015)</p>	<p>“In July 2012, Charlie Craig and David Mullins went to Masterpiece Cakeshop in Lakewood, CO, and requested that its owner, Jack C. Phillips, design and create a cake for their wedding. Phillips declined to do so on the grounds that he does not create wedding cakes for same-sex weddings because of his religious beliefs. Phillips believes that decorating cakes is a form of art through which he can honor God and that it would displease God to create cakes for same-sex marriages. Craig and Mullins filed charges of discrimination with the Colorado Civil Rights Division, alleging discrimination based on sexual orientation under the Colorado Anti-Discrimination Act (CADA), §§ 24-34-301 to -804, C.R.S. 2014. After the Division issued a notice of determination finding probable cause, Craig and Mullins filed a formal complaint with the Office of Administrative Courts alleging that Masterpiece discriminated against them in a place of public accommodation in violation of CADA. The</p>

Administrative Law Judge issued a written order finding in favor of Craig and Mullins, which was affirmed by the Colorado Civil Rights Commission. On appeal, the Colorado Court of Appeals subsequently affirmed the Commission's ruling." (Oyez, n.d.)