

AMSCO®

ADVANCED PLACEMENT® EDITION

UNITED STATES GOVERNMENT & POLITICS

Topic: Amendments: Due Process and the Right to Privacy

Before you get started...

Due process of law: 5th (federal government) and 14th (state government)
Amendments prohibit govt. from denying life, liberty, or property without due process of law.

9th Amendment.

A. No complete listing of rights is possible --> inclusion of the 9th Amendment.

B. Examples of "other" rights protected by Amendment 9:

1. Privacy (*Griswold v. Connecticut*, 1965).
2. Travel.
3. Freedom of association (*Boy Scouts of America v. Dale* 2000: Boy Scouts can ban homosexuals from being scout leaders via Amendment 1 and 9)
4. Homosexual conduct (*Lawrence v. Texas*, 2003: Using the right of privacy, this decision struck down a Texas law that banned sodomy. It reversed the decision of *Bowers v. Hardwick* [1986], which upheld a Georgia law banning sodomy.

At the end you should know ...

To what extent are states limited by the due process clause from infringing upon individual's right to privacy?

Resources ...

Wolfford pp. 329-334, [Video Clip 3.9](#) , [Quizlet Stack 3.9](#)

Notes: