

THE CONSTITUTION



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THE UNITED STATES CONSTITUTION

- The Constitution is the Supreme Law of the Land
- There are 27 Amendments to the Constitution
- The Bill of Rights are the first ten Amendments to the Constitution.
- There are 3 Branches

- LEGISLATIVE = Congress =Senators AND Representatives
- EXECUTIVE =The President, Vice President, and Electoral College
- JUDICIAL= Federal Courts Systems and there are 9 Justices in the Supreme Court
- ALL 3 BRANCHES ARE EQUAL NO BRANCH IS MORE POWERFUL THAN THE OTHER THIS IS CALLED CHECKS AND BALANCES

SEPARATION OF POWERS

- **LEGISLATIVE** - Makes Laws
- **EXECUTIVE** - Enforces Laws
- **JUDICIAL** - Reviews and Explains Laws
- **FEDERAL PREEMPTION** - Is the right of the Federal Government to regulate matters within it's power to regulate by States

The Bill of Rights is Born

- The Bill of Rights were first approved in 1789 and were then ratified in 1791. The first 10 amendments became the United States Bill of Rights.
- The Bill of Rights was created to protect individuals from the national government.



First Amendment

“Guarantees the freedom of religion, speech, and the press and the right to assemble peaceably and to petition the government.

Freedom of:

- Speech
- Religion
- Press
- Right to assemble
- Petition



You are
protected!

Limitation and Exceptions of Freedom of Speech

- The first amendment to U.S constitution might be the most frequently debated amendment the U.S history. The supreme court has ruled that there are exceptions to freedom of speech when it comes to:
 - Lying
 - Provocation
 - Obscenity
 - Child Pornography
 - Threats
 - Copyrighted material

The Establishment Clause

- “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;...”

-It means that congress can't favor a particular religion through legislature as well legislate against the practices of a particular religion. It is also the basis of what it is referred to as the separation between church and state.

Due Process of Law

- The due process of law is very important to every citizen of the United States. It directly impacts of what the government can and do with your rights. Due process prohibits the state from depriving someone of their right.

Procedural and Substantive

- There are two types of due process procedural and substantive.

Procedural requires notice and the opportunity to be heard or life, liberty, and property can be taken.

Substantive asks whether or not the government had plenty of ground on infringing on your rights. In other words was it fair and reasonable to interfere.

Privacy Rights



Your privacy is implied in:
First, Third, Fourth Fifth, and Ninth Amendments, but
it's not mentioned directly in the Constitution.

Federal Statutes Affecting Privacy Rights

- 1974- Privacy Act - right to access information.
- Medical Information - Health Insurance Portability and Accountability Act. (HIPPA)
- 9-11-2001- USA Patriot Act - Government can monitor internet, track any information in order to intercept any terrorism.

Other Laws Affecting Privacy

- Individuals' privacy rights are to some extent protected.

