

# Legal questions

Law



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Legal Questions al Affiliation Legal Questions What is civil rights legislation? Provide five different examples of this legislation. How does it work with or supplement the Equal Protection Clause?

The 1950's and 1960s was a period characterized by civil strife and activism throughout the United States. The aim of the Civil Rights movements was to force the government to enact laws that abolishes discrimination, based on sex, race, color, religion of gender. As a result, the government passed Civil Rights legislations that brought to an end segregation and employment discrimination based on race, sex, color, national origin, or religion. The civil rights legislations are legislations enacted to stop all forms of discrimination in the country, including racial segregation, and discrimination in employment, according to Scheb and Stephens (2011).

Example of Civil Rights legislations

- 1) Civil Rights Act of 1964: This legislation ended racial segregation and discrimination in public accommodations, such as schools, hospitals and transport system. It also made it illegal for an employer to discriminate against anyone based on race, color, religion, or sex (Scheb and Stephens, 2011).
- 2) Twenty-Fourth Amendments (1964): This piece of legislation ended the levying of poll taxes in all states. This implied that no state was allowed now to charge persons to vote.
- 3) Voting Rights Act (1965): This piece of legislation gave all Americans the right to vote regardless of race, sex, color, or religion. In addition, it brought to an end the literacy tests. Further, it mandated the U. S. attorney to intervene in case of discrimination.
- 4) 1967 ADEA: This piece of legislation forbids discrimination of people

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between the ages of 40 to 60 years.

5) Fair Housing Act of 1968: this piece of legislation required the federal funds to be used to finance accessibility for disabled persons in buildings and facilities.

The civil right legislations supplement the Equal Protection Clause in the sense that it protects citizens from all forms of discrimination that the Equal Protection Clause also protects people against. The Equal Protection Clause of the 14th Amendment protects citizens from being denied equal protection of the law by the state. This implies that the state has an obligation to treat every person equally in similar circumstances and conditions (Scheb and Stephens, 2011).

2. What is a stop and frisk, or Terry, Search?

Normally, when a police officer suspects that an individual is likely to commit a crime, he is allowed to stop the person, tie the suspect's hands in the outer garments, and search if the suspect may be carrying a hidden weapon. This act of stopping and tying and searching a suspect is what is termed stop and frisk (del Carmen, 2012).

What is the difference between probable cause and reasonable suspicion, and under what circumstances do these standards apply?

Reasonable suspicion and probable cause are legal standards used by police officers in the enforcement of law. Reasonable suspicion is the presumption made by a police officer that a crime has committed or is about to be committed. These reasonable presumptions are based on facts and the situation, which are informed by the police officer's training and experience. Reasonable suspicion is applicable when a police strongly suspect that an individual has committed a crime or is likely to commit a crime. In case of <https://assignbuster.com/legal-questions/>

such a suspicion, the police have the right to stop, question and search the suspect for arms or any other weapon that may be dangerous to the public. On the other hand, in order for the police to arrest or obtain a search warrant, probable cause must exist. This implies that a police officer is not allowed to arrest or obtain a search warrant, not unless probable cause exists (Dempsey and Forst, 2011).

What basic protections of criminal procedure do the Fourth, Fifth, Sixth, and Eighth Amendments provide?

The Fourth Amendment protects the privacy of an individual. The Fourth Amendment protects every individual from unreasonable search and seizures.

The Fifth Amendment protects individuals accused of a crime from self-incrimination. According to the Fifth Amendment, no individual shall be coerced to testify against himself or herself in a criminal proceeding (Cole and Smith, 2009).

The Sixth Amendment grants defendants in a criminal proceeding the right to speedy trial, public trial, impartial jury, information of pending charges, and the right to cross-examine witnesses. In addition, it grants defendants the right to legal counsel, to refuse to testify, as well as the right to call a witness (Cole and Smith, 2009).

Eighth Amendment protects defendants in a criminal proceeding from unusual punishment, excessive fines, and bails.

## References

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