

FREEDOM AND SECURITY OF THE PERSON

TEXT SUMMARY

The 13th Amendment was added to the Constitution in 1865 to end slavery and **involuntary servitude**, or forced labor. It covers the conduct of individuals as well as government. The Supreme Court

has ruled that the 13th Amendment authorizes Congress to attack racial **discrimination**, that is, bias or unfairness.

The 2nd Amendment protects the right of each State to keep a militia. It does not guarantee the right of individuals to keep and bear arms. The Supreme Court has never found that right to be within the 14th Amendment's Due Process Clause. Each State can therefore create its own limits on the right to keep and bear arms—and all of the States do, in various ways.

The 3rd and 4th amendments guarantee that government cannot disturb people or their homes without good reason. The 3rd Amendment forbids the unlawful quartering of soldiers in private homes—a British practice in colonial days. The 4th Amendment also grew out of colonial practice. It requires that, to search for or seize evidence or persons, police officers have a proper warrant obtained with **probable cause**—a reasonable suspicion of crime. It was designed to protect against the colonial use of **writs of assistance**—blanket search warrants that allowed British officers to search private homes. The **exclusionary rule** says that evidence gained by illegal police action, such as searching without a warrant, cannot be used against the person from whom it was seized.

THE BIG IDEA

Several of the Constitution's provisions protect the rights of people to be free from physical restraints and to be secure in their persons and homes.

GRAPHIC SUMMARY: *The Security Amendments*

2nd Amendment	Gives States the right to maintain militias; does not give individuals the right to keep and bear arms
3rd Amendment	Prohibits the unlawful quartering of soldiers in private homes
4th Amendment	Prevents unlawful searches and seizing of people or their property
13th Amendment	Ended slavery and involuntary servitude

The security amendments are intended to protect the right of every American to live in freedom.

REVIEW QUESTIONS

1. Why was the 2nd Amendment added to the Constitution?
2. **Chart Skills** Which amendment prevents police from searching a house without a warrant?