Supreme Court Review

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I. Criminal procedure

A. Fourth Amendment

Heien v. North Carolina, 135 S.Ct. 530 (2014). The Fourth Amendment is not violated when a police officer makes a mistake of law to justify a traffic stop.

Rodriguez v. United States, 135 S.Ct. 1609 (2015). An officer may not extend an already completed traffic stop for a canine sniff without reasonable suspicion or other lawful justification.

City of Los Angeles v. Patel, 135 S.Ct. 2443 (2015). Los Angeles Municipal Code § 41.49, which requires hotel operators to record and keep specific information about their guests on the premises for a ninety-day period and to make those records available to "any officer of the Los Angeles Police Department for inspection" on demand, is facially unconstitutional because it fails to provide the operators with an opportunity for pre-compliance review.

B. Confrontation Clause

Ohio v. Clark, 135 S.Ct. 2173 (2015). The introduction at trial of statements made by a three-year-old boy to his teachers identifying his mother's boyfriend as the source of his injuries did not violate the Confrontation Clause, when the child did not testify at trial, because the statements were not made with the primary purpose of creating evidence for prosecution.

C. Vagueness

Johnson v. United States, 135 S.Ct. 2551 (2015). The residual clause in the Armed Career Criminal Act is unconstitutionally vague

D. Death penalty

Glossip v. Gross, 135 S.Ct. 2726 (2015). Plaintiffs have not shown a substantial likelihood of prevailing on the merits in showing that the use of midazolam as the first drug in a three-drug cocktail constitutes cruel and unusual punishment under the Eighth Amendment.

II. **Constitutional rights**

A. Freedom of Speech

Williams-Yulee v. Florida State Bar, 135 S.Ct. 1656 (2015). A rule of judicial conduct that prohibits candidates for judicial office from personally soliciting campaign funds does not violate the First Amendment.

Elonis v. United States, 135 S.Ct. 2001 (2015). Aa matter of statutory interpretation, conviction for threatening another person under 18 U.S.C. § 875(c) requires proof of the defendant's subjective intent to threaten.

Reed v. Town of Gilbert, Arizona, 135 S.Ct. 2218 (2015). The provisions of a municipality's sign code that impose more stringent restrictions on signs directing the public to the meeting of a non-profit group than on signs conveying other messages are content-based regulations of speech that cannot survive strict scrutiny.

Walker v. Texas Division, Sons of Confederate Veterans, 135 S.Ct. 2239 (2015). Because Texas's specialty license plate designs constitute government speech, it was entitled to reject a proposal for plates featuring a Confederate battle flag.

B. Marriage

Obergefell v. Hodges, 135 S.Ct. 2584 (2015). State laws that prohibit same-sex marriage violate the due process and equal protection clauses of the Fourteenth Amendment.

C. **Voting**

Alabama Legislative Black Caucus v. Alabama, and Alabama Democratic Conference v. Alabama, 135 S.Ct. 1257 (2015). Whether there was impermissible packing of African-American voters into already majority Black districts should be determined on a district-by-district basis, not on the state as a whole.

D. Takings

Horne v. Department of Agriculture, 135 S.Ct. 2419 (2015). The Fifth Amendment requires the government to pay just compensation when it takes personal property, just as when it takes real property. In this case, any net proceeds the raisin growers receive from the sale of the reserve raisins goes to the amount of compensation they have received for that taking; it does not mean the raisins have not been appropriated for government use. Nor can the government make raisin growers relinquish their property without just compensation as a condition of selling their raisins in interstate commerce.

III. Statutory civil rights

A. Religion

Holt v. Hobbs, 135 S.Ct. 853 (2015). Application of a prison policy to keep a Muslim inmate from growing a half inch beard violates the Religious Land Use and Institutionalized Persons Act because it is not the least restrictive alternative to serve a compelling government interest.

B. Employment discrimination

Young v. United Parcel Service, 134 S.Ct. 1338 (2015). Under the Pregnancy Discrimination Act, a woman must show that she that she asked to be accommodated in the workplace when she could not fulfill her normal job because of pregnancy; that the employer refused to do so, and that the employer did actually provide an accommodation for others who are just as unable to do their work temporarily. Once the employee does this, the burden shifts to the employer to show that it had a neutral business reason for its decision and was not biased against pregnant workers. The employee then gets to respond and can argue that the neutral reason was not a real one, but only a pretext for bias, and can attempt to show that the workplace policy puts a "significant burden" on female workers.

EEOC v. Abercrombie & Fitch Stores, Inc., 135 S.Ct. 2028 (2015). To prevail in a disparate-treatment claim under Title VII of the Civil Rights Act of 1964, an applicant need show only that his need for an accommodation was a motivating factor in the employer's decision, not that the employer actually knew of his need.

C. Housing discrimination

Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc., 135 S.Ct. 2507 (2015). Disparate-impact claims are cognizable under the Fair Housing Act.

IV. Affordable Care Act

King v. Burwell, 135 S.Ct. 2480 (2015). The Internal Revenue Service may permissibly promulgate regulations to extend tax-credit subsidies to coverage purchased through exchanges established by the federal government under Section 1321 of the Patient Protection and Affordable Care Act.

V. Separation of powers

Zivotofsky v. Kerry, 135 S.Ct. 2076 (2015). Because the power to recognize foreign states resides in the president alone, Section 214(d) of the Foreign Relations Authorization Act of 2003 – which directs the Secretary of State, upon request, to

designate “Israel” as the place of birth on the passport of a U.S. citizen who is born in Jerusalem – infringes on the executive’s consistent decision to withhold recognition with respect to Jerusalem.