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Bill of Rights

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Bill of Rights

As the first 10 articles of the U.S. Constitution, the Bill of Rights lays forth the rights of citizens in regard to their federal, state, and local governments. It protects citizens' civil rights and liberties, such as freedom of expression, of the press, and of the religion they practice. It establishes guidelines for the administration of justice and reserves to the people or states any authorities not delegated to the federal government. We'll look at the criteria in three different Colorado state sections that are related to the bill of rights to see how they compare favorably.

Many rights are protected by the First Amendment, including the freedom to express one's opinions through speech and the press, to assemble or meet with a group for any reason, and to urge the government to correct a wrong. It also safeguards people's freedom of religion and belief. In other words, it forbids the federal government from inventing or promoting a religious movement. This amendment is similar to Colorado's which states that No law shall be passed impairing the freedom of speech; every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuse of that liberty; and in all suits and prosecutions for libel Colorado Revised Statutes 2016 (Bhagwat, 2010).

The right to keep and bear arms is guaranteed by the Second Amendment. While Article II, 13 of the Colorado Constitution guarantees everyone's right to bear arms for self-defense and to assist civil authorities when legitimately summoned, it says nothing about carrying a concealed firearm in the state (Volokh, 2006). This constitutional clause can be reasonably regulated under Article II, 13, according to the Colorado Supreme Court. Denver's legislation banning the manufacturing, sale, and possession of assault weapons was challenged by plaintiff gun owners in *Robertson v. City and County of Denver* on a number of grounds, including art. II, 13 (Roth, 2012). The trial court found that Art. II, 13 grants a "fundamental right to bear arms"

on the plaintiffs' move for summary judgment. 2 Assault weapons regulation was found to have a compelling government interest by the trial court, but the ordinance was overturned because certain inseverable clauses were judged to be unclear or overbroad.

A fundamental right guaranteed by the U.S. Fourth Amendment and Article II, Section 7 of the Colorado Constitution is the freedom from unreasonable government searches and seizures. If you're accused of a crime and the evidence used against you was obtained illegally, a skilled defense attorney will submit a request to suppress the evidence and any evidence seized as a result of the illegal search and seizure will be suppressed. Depending on how quickly the evidence against you disappears, your lawyer may be able to have your charges dropped or at the very least reduced. Your rights under the Fourth Amendment are safeguarded against unauthorized searches and seizures by federal law enforcement organizations. Without a valid search (Ohm, 2011). warrant from a judge or when the search falls inside one of the few exceptions recognized by Colorado courts and federal courts, law enforcement cannot search your person or property. What, then, gives police enforcement the right to search you, your car, or your house if they have a search warrant? The search warrant must be supported by writing affirmation or oath, and it must specify the location to be searched or the person or thing to be seized as accurately as feasible based on probable cause. It must be properly executed by a federal judge or Colorado judge.

References

- Bhagwat, A. (2010). Associational speech. *Yale LJ*, 120, 978.
- Ohm, P. (2011). The Fourth Amendment in a world without privacy. *Miss. LJ*, 81, 1309.
- Roth, B. (2012). Reconsidering a Federal Assault Weapons Ban in the Wake of the Aurora, Oak Creek, and Portland Shootings: Is It Constitutional in the Post-Heller Era. *Nova L. Rev.*, 37, 405.
- Volokh, E. (2006). State Constitutional Rights to Keep and Bear Arms. *Tex. Rev. L. & Pol.*, 11, 191.