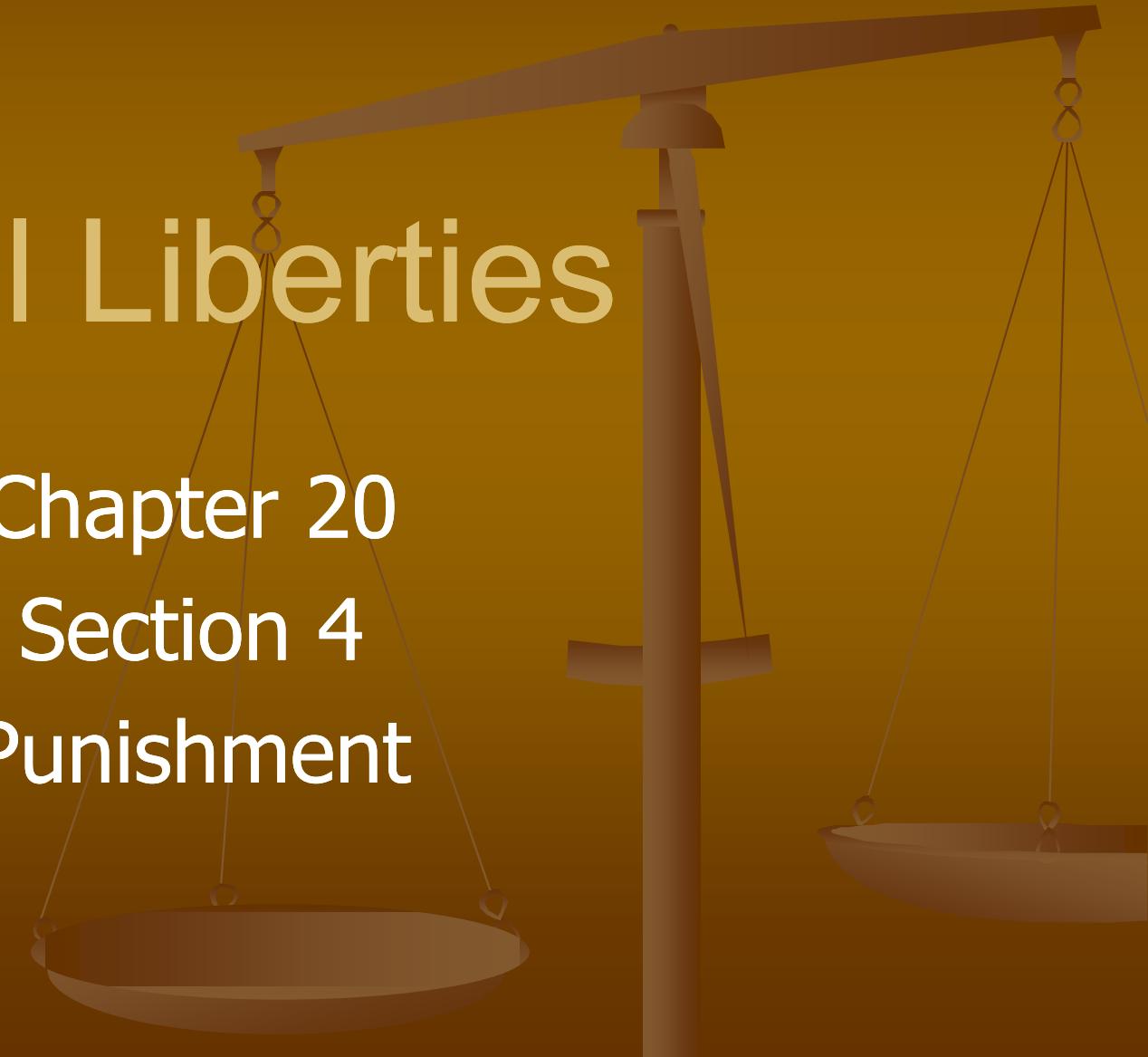


# Civil Liberties

Chapter 20  
Section 4  
Punishment

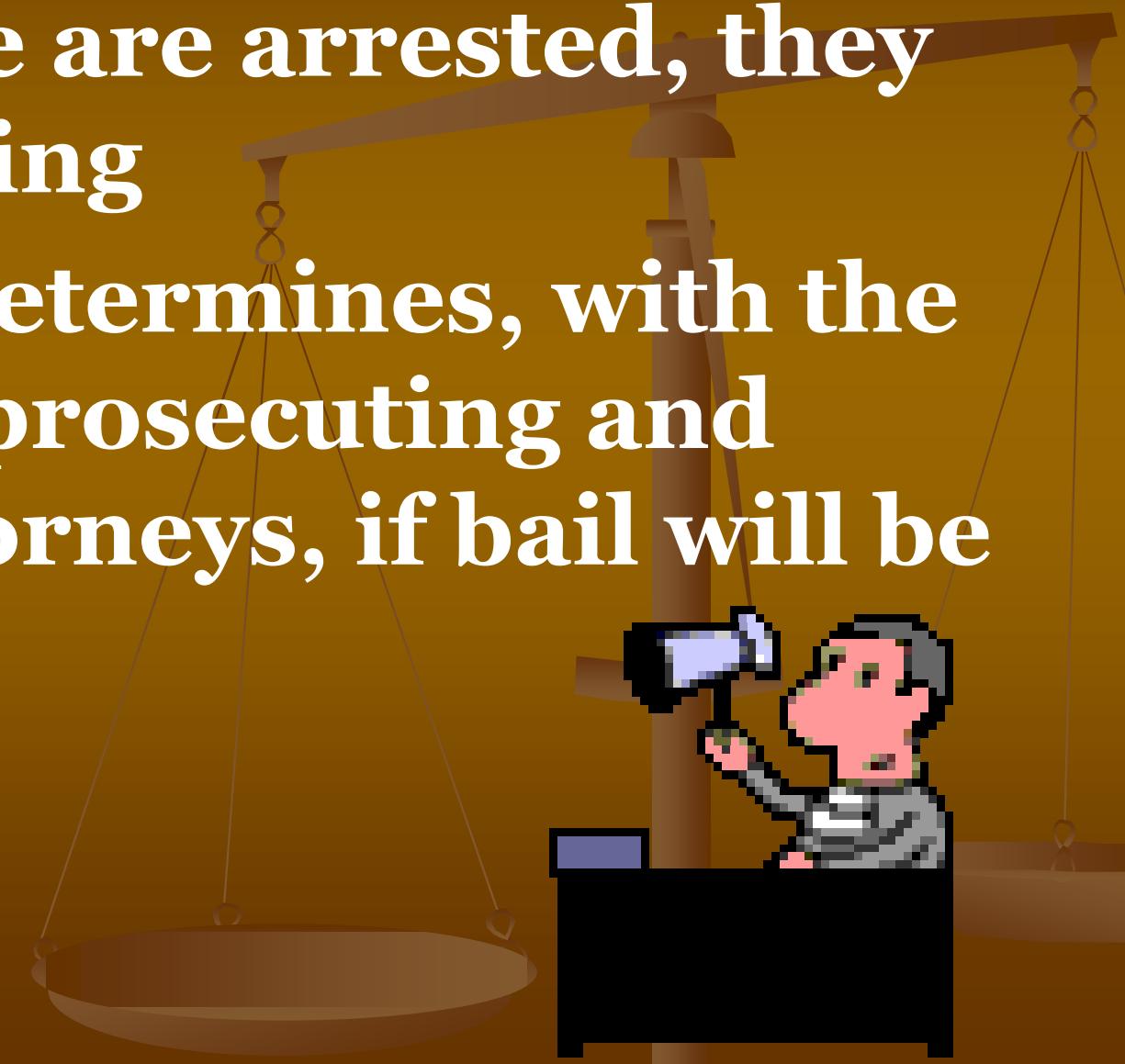


# Vocabulary

- Bail – money put up with a promise to return to court
- Preventive detention – people denied bail because they are a flight risk
- Capital Punishment – death penalty
- Treason – crimes against the US

# After an Arrest

- Once people are arrested, they have a hearing
- The judge determines, with the help of the prosecuting and defense attorneys, if bail will be allowed.



# After an Arrest

- Bail is established to allow the accused freedom until they are convicted and because the accused may find it easier to prepare for trial on the outside
- Bail may not be excessive – 8<sup>th</sup> Amendment

# After an Arrest

- The 8<sup>th</sup> Amendment forbids cruel and unusual punishment
- Electrocution, hanging and firing squad have each been determined as constitutional forms of punishment

# After an Arrest

- It has been found constitutional for the courts to assign sever punishments for a person found guilty of their 3<sup>rd</sup> felony conviction.

# After an Arrest

- **Lockyer v. Andrade, 2003 – tested CA 3 strikes rule and found that Leonard Andrade could not be charged for 3 simultaneous thefts from Kmart as 3 crimes.**

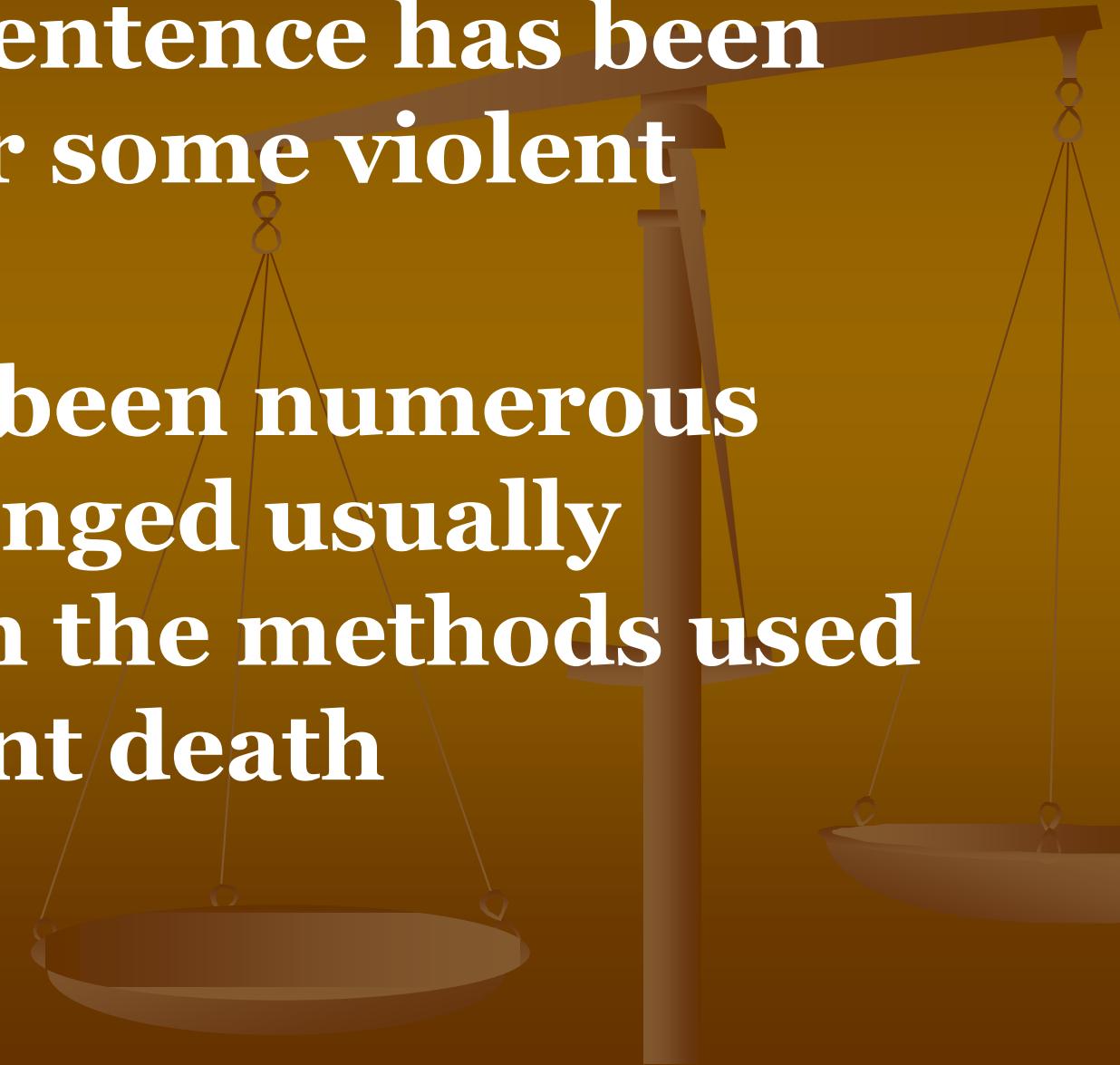
# After an Arrest

- People have been convicted under the 3 strikes law for
  - Stealing a pizza
  - Marijuana possession
  - Shoplifting
  - Assault



# Capital Punishment

- The death sentence has been reserved for some violent criminals
- There have been numerous cases challenged usually dealing with the methods used to implement death

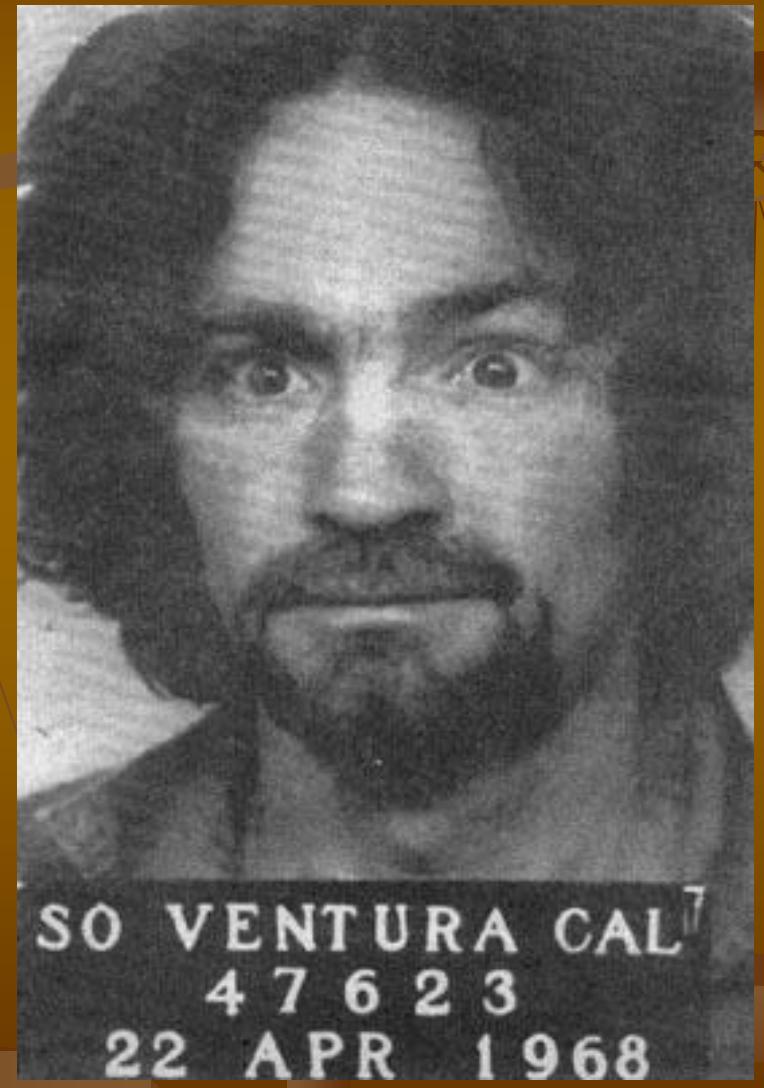


# Capital Punishment

- The death penalty has been put aside for various reasons, and for varying lengths of time
- CA commuted all death penalty cases in the early 1970s

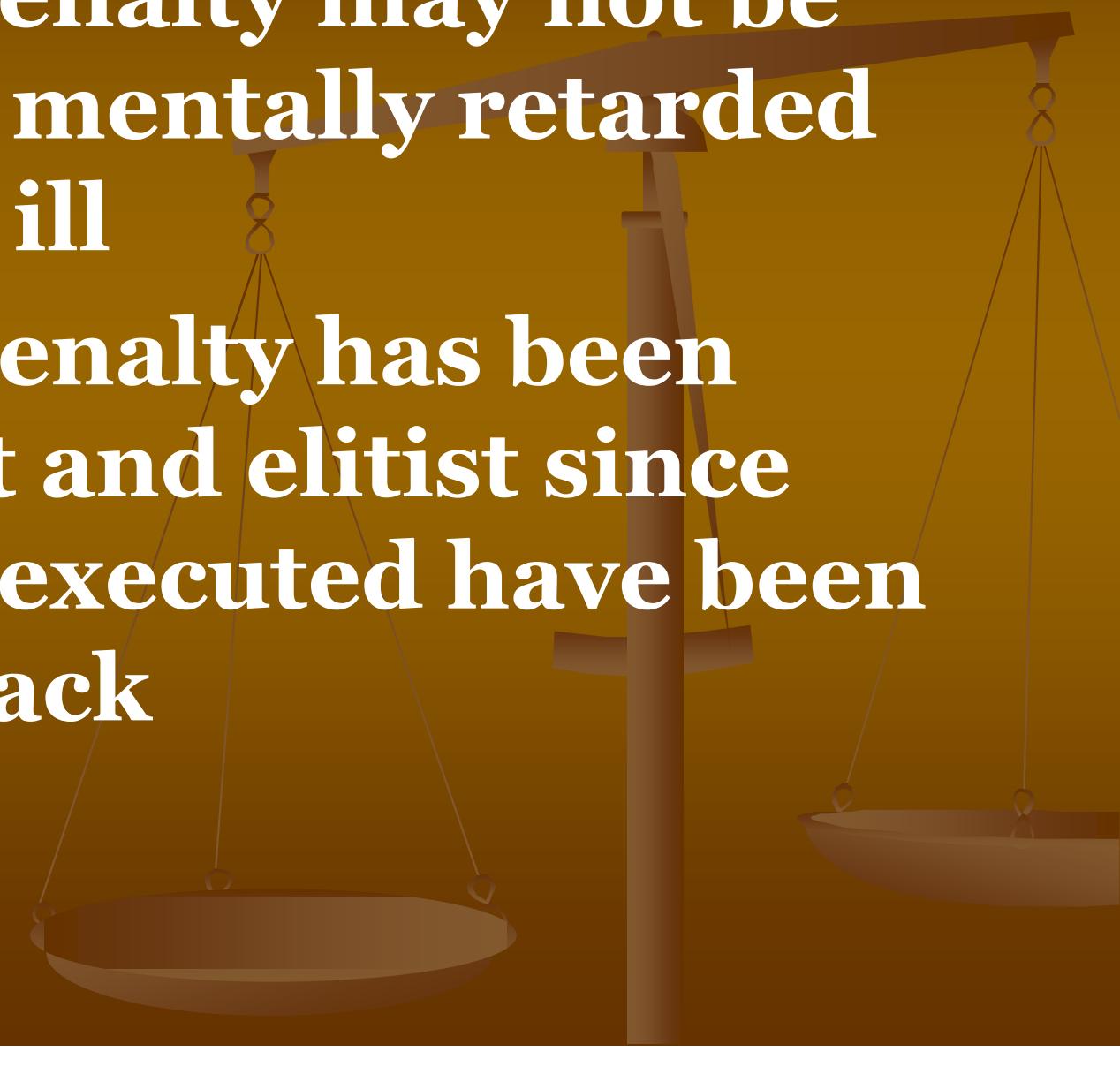
# Capital Punishment

- Convicted murderers were re-sentenced to life in prison



# Capital Punishment

- The death penalty may not be used on the mentally retarded or mentally ill
- The death penalty has been called racist and elitist since most of the executed have been poor and black



# Capital Punishment

- In 2000, Gov. Ryan, IL, commuted all death sentences because of the number of “guilty” people found innocent after DNA testing

# Capital Punishment

- States impose the death penalty for murder, rape, kidnapping etc
- The federal government can impose the death penalty for treason

# Capital Punishment

- John Brown was hanged after his raid on Harpers Ferry
- So were Julius and Ethel Rosenberg for selling atomic secrets to the Russians

