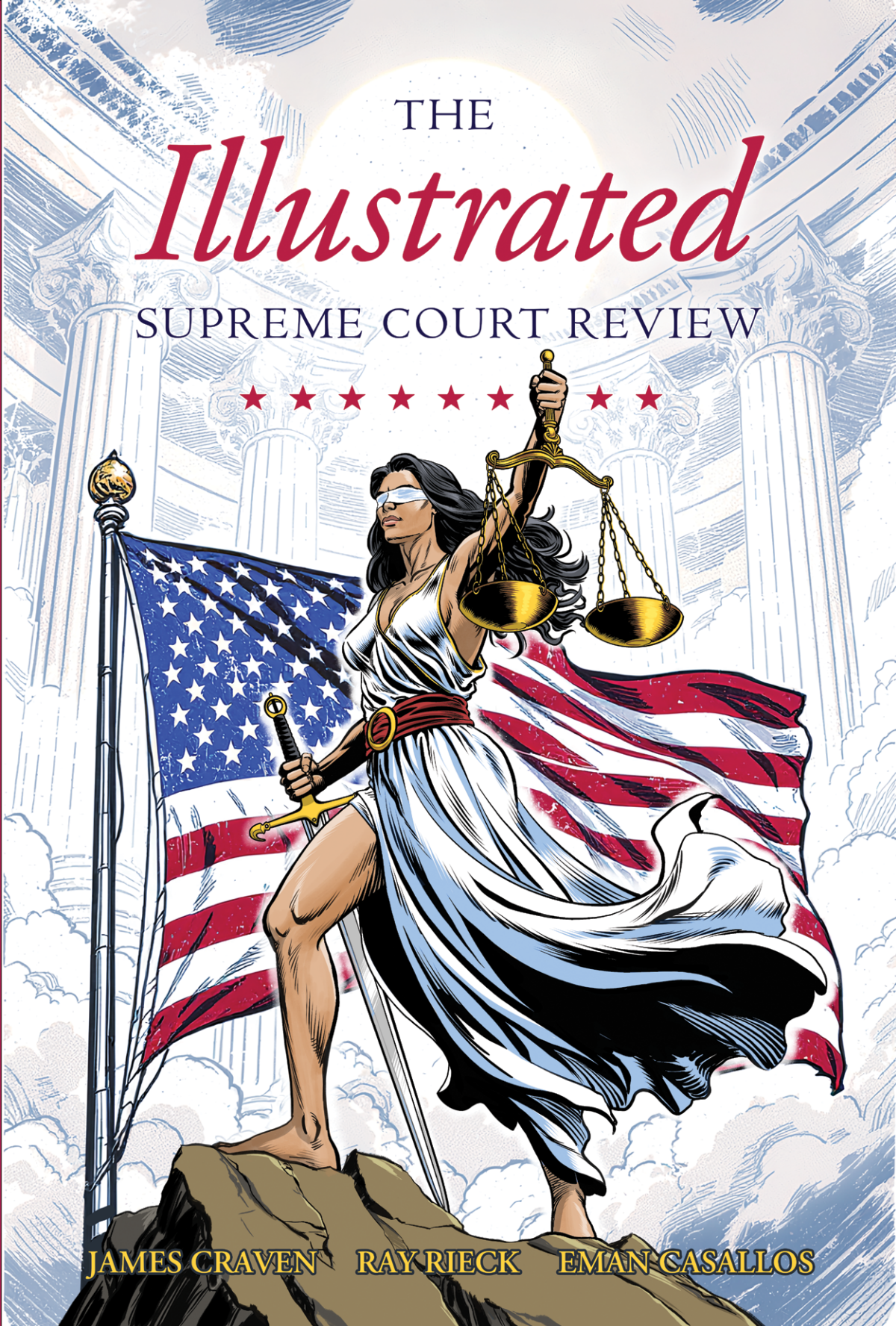
THE *Illustrated* SUPREME COURT REVIEW



JAMES CRAVEN RAY RIECK EMAN CASALLOS

THE *Illustrated* SUPREME COURT REVIEW

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THANK YOU FOR READING THE SECOND VOLUME OF THE ILLUSTRATED SUPREME COURT REVIEW!

I'M OVERJOYED TO CONTINUE THIS PROJECT WITH OUR EXPANDED TEAM. WE NOW HAVE THREE ARTISTS AND SEVEN SCHOLARS BRINGING THESE IMPORTANT CASES TO LIFE THROUGH ART AND ANALYSIS.

THIS VOLUME COVERS MAJOR CASES FROM THE OCT. 2024–2025 TERM. *TRUMP V. CASA* RESHAPES JUDICIAL POWER, LIMITING DISTRICT COURTS WHILE SHIFTING POLICY CHECKS TO THE SUPREME COURT LEVEL. *TIKTOK V. GARLAND* AND *FSC V. PAXTON* EXPAND GOVERNMENT AUTHORITY OVER ONLINE SPACES, WITH EFFECTS MANY READERS WILL EXPERIENCE DIRECTLY.

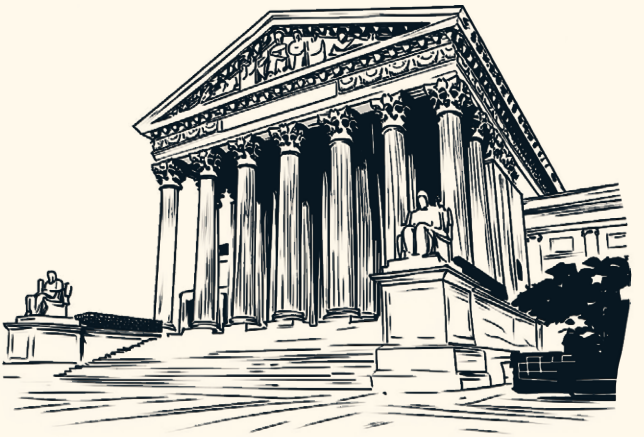
SEEING THE DELIGHT ON PEOPLE'S FACES WHEN THEY OPEN OUR BOOK AND DISCOVER OUR FULL-COLOR ILLUSTRATIONS HAS BEEN INCREDIBLY FULFILLING.

THANK YOU, AGAIN, FOR GIVING THIS VOLUME YOUR TIME AND ATTENTION.

THE WORKS OF OUR SCHOLARS ARE ALWAYS AVAILABLE ON CATO.ORG.

WARM REGARDS,

JAMES CRAVEN

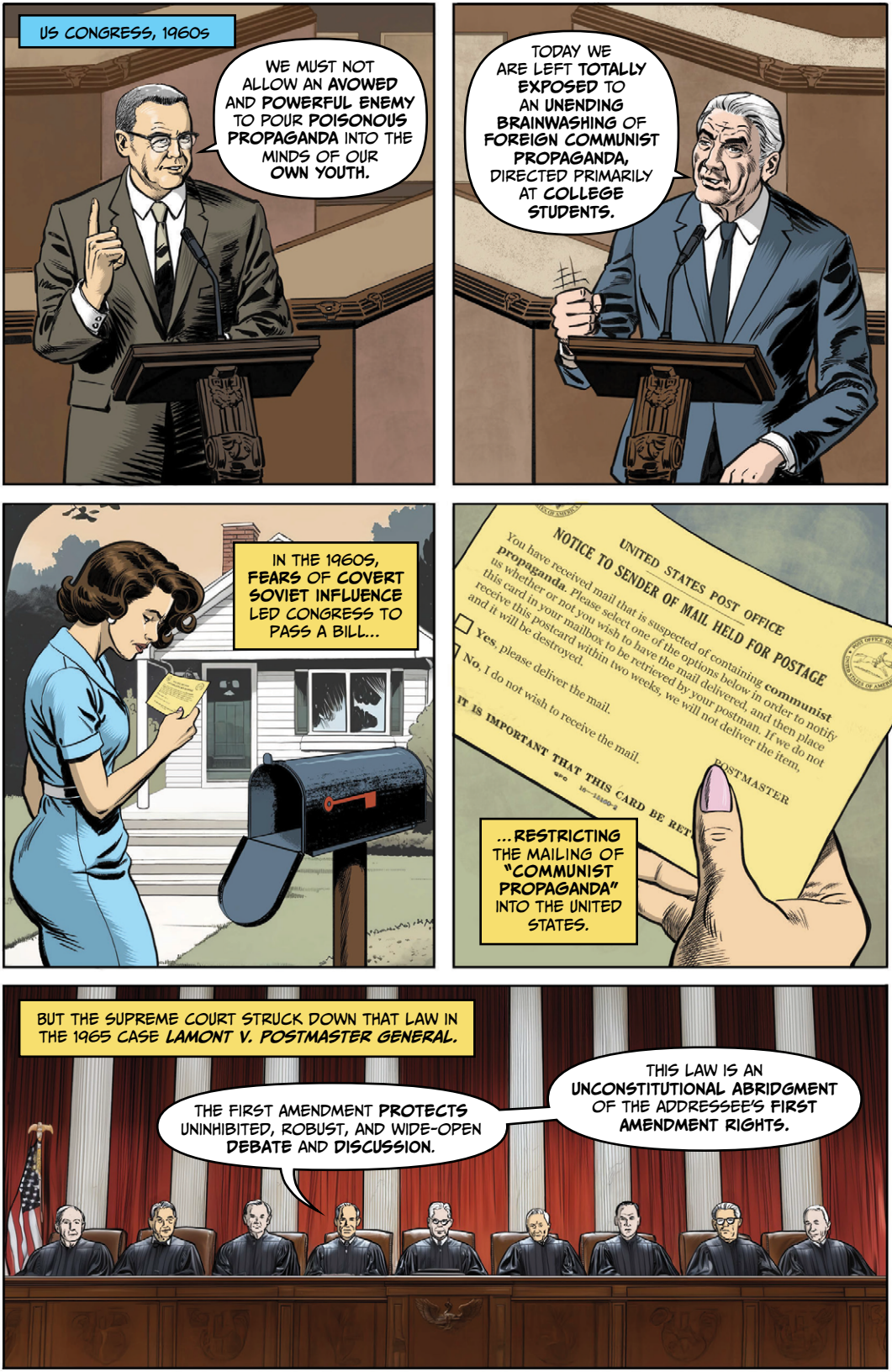


THE CATO ILLUSTRATED SUPREME COURT REVIEW

TikTok v. *Garland*

★ ★ ★ ★ ★ ★ ★

Thomas Berry


US CONGRESS, 1960s
WE MUST NOT ALLOW AN AVOWED AND POWERFUL ENEMY TO POUR POISONOUS PROPAGANDA INTO THE MINDS OF OUR OWN YOUTH.
TODAY WE ARE LEFT TOTALLY EXPOSED TO AN UNENDING BRAINWASHING OF FOREIGN COMMUNIST PROPAGANDA, DIRECTED PRIMARILY AT COLLEGE STUDENTS.
IN THE 1960S, FEARS OF COVERT SOVIET INFLUENCE LED CONGRESS TO PASS A BILL...
UNITED STATES POST OFFICE
NOTICE TO SENDER OF MAIL HELD FOR POSTAGE
You have received mail that is suspected of containing communist propaganda. Please select one of the options below in order to notify us whether or not you wish to have the mail delivered, and then place this card in your mailbox to be retrieved by your postman. If we do not receive this postcard within two weeks, we will not deliver the item, and it will be destroyed.
Yes, please deliver the mail.
No, I do not wish to receive the mail.
IT IS IMPORTANT THAT THIS CARD BE RET
POSTMASTER
...RESTRICTING THE MAILING OF "COMMUNIST PROPAGANDA" INTO THE UNITED STATES.
BUT THE SUPREME COURT STRUCK DOWN THAT LAW IN THE 1965 CASE LAMONT V. POSTMASTER GENERAL.
THE FIRST AMENDMENT PROTECTS UNINHIBITED, ROBUST, AND WIDE-OPEN DEBATE AND DISCUSSION.
THIS LAW IS AN UNCONSTITUTIONAL ABRIDGMENT OF THE ADDRESSEE'S FIRST AMENDMENT RIGHTS.


US CONGRESS, 2020s
COMMUNIST CHINA IS USING TIKTOK AS A TOOL TO SPREAD DANGEROUS PROPAGANDA.
TIKTOK IS COMMUNIST CHINESE MALWARE. IT IS DIGITAL FENTANYL THAT IS POISONING THE MINDS OF OUR YOUTH EVERY DAY ON A MASSIVE SCALE.
IN 2024, SIMILAR FEARS LED CONGRESS TO PASS A BILL REQUIRING TIKTOK EITHER TO SEVER ITS RELATIONSHIP WITH ITS PARENT COMPANY OR CEASE OPERATING IN THE UNITED STATES.
WARNING!
TikTok
may go dark on
January 20
170 MILLION AMERICANS USE TIKTOK, MAKING THE LAW A SPEECH RESTRICTION OF UNPRECEDENTED SCOPE. HOW COULD SUCH A WIDE-RANGING BAN BE COMPATIBLE WITH THE CONSTITUTION?

TIKTOK AND ITS USERS QUICKLY **CHALLENGED** THE LAW IN COURT, WHERE THE GOVERNMENT **SHIFTED ITS FOCUS.**

TikTok

THE GOVERNMENT **JUSTIFIED** THE LAW BY POINTING TO POTENTIAL **DATA PRIVACY CONCERNS.**

By clicking here, you give TikTok permission to access your contacts and user data.

BECAUSE CHINESE LAW EMPOWERS ITS GOVERNMENT TO ACCESS PRIVATE DATA—AND BROADLY COMPELS TIKTOK'S CHINESE PARENT COMPANY, ***BYTEDANCE***, TO ASSIST THE GOVERNMENT WITH INTELLIGENCE WORK—

—THE UNITED STATES ARGUED THAT **TIKTOK** COULD SERVE BOTH AS A **DATA-COLLECTION TOOL** FOR CHINA AND AS A CHANNEL FOR ITS **PROPAGANDA.**

BEIJING

SINGAPORE

MANY OF THE GOVERNMENT'S CONCERNS ABOUT HOW CHINA MIGHT **WEAPONIZE** TIKTOK WERE STILL **HYPOTHETICAL.**

CAPTAIN, LOOK!

IT SAYS ON **TIKTOK** THAT ***WE*** SHOT **FIRST!**

I **TOLD** YOU TO **DELETE** THAT APP.

SHOULD WE TURN AROUND AND GO **HOME?**

NO!

AS FOR ITS FEAR OF CHINESE DATA COLLECTION, THE US GOVERNMENT SAID IT HAD **DETAILED EVIDENCE**—BUT BECAUSE IT WAS **CLASSIFIED,** THE US WOULDN'T LET THE PUBLIC OR TIKTOK'S LAWYERS SEE IT.

LEGAL BRIEF

The risk is particularly high

FORTUNATELY, BOTH THE DISTRICT OF COLUMBIA'S APPELLATE COURT AND THE SUPREME COURT MADE CLEAR THAT THEY DID **NOT** TAKE THIS CLASSIFIED INFORMATION INTO ACCOUNT, SINCE DOING SO WOULD HAVE **VIOLATED** TIKTOK'S RIGHT TO CHALLENGE THE EVIDENCE AGAINST IT.

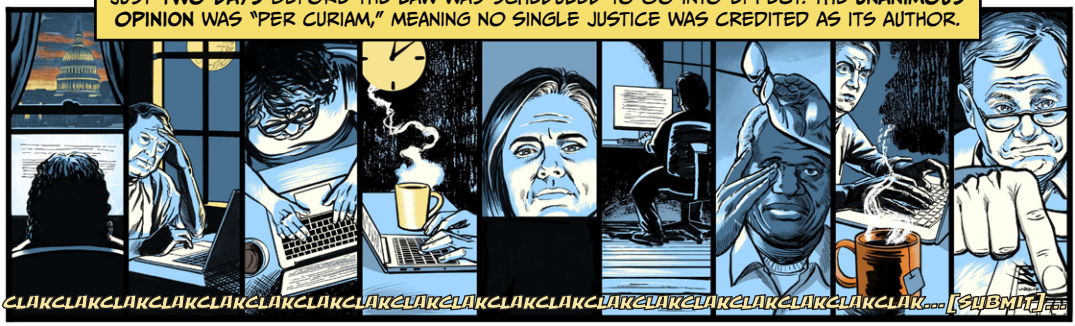
LEGAL BRIEF

The risk is particularly high

RIIIPPP!

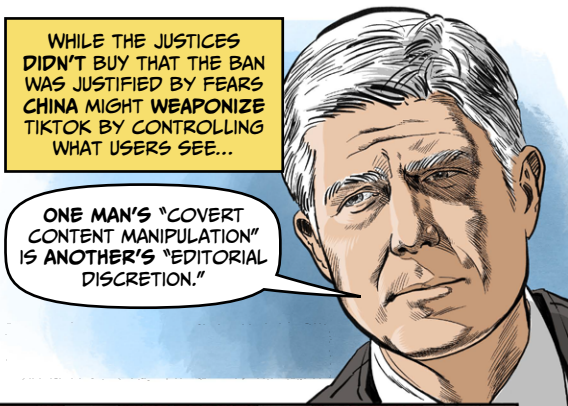
THE **EVIDENCE** USED TO PROVE THE GOVERNMENT'S CASE MUST BE **DISCLOSED** TO TIKTOK SO THEY HAVE AN OPPORTUNITY TO SHOW THAT IT IS UNTRUE.

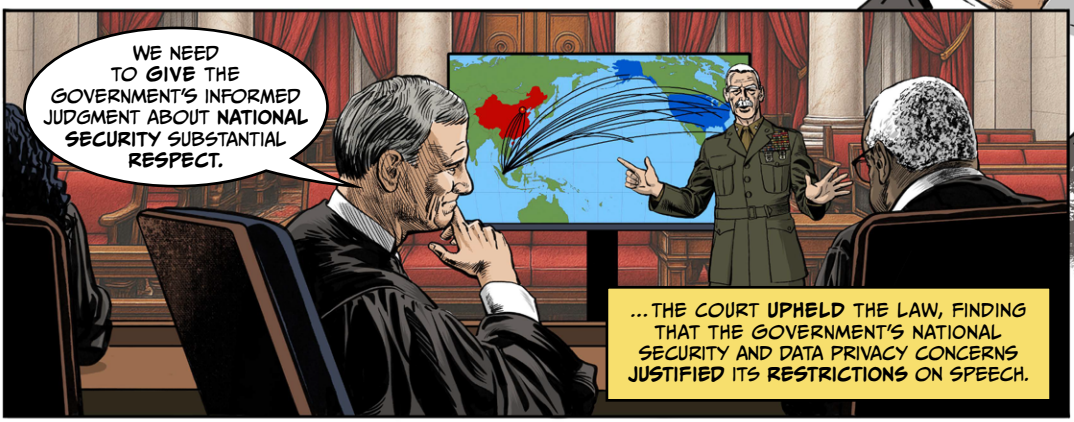
After a **fast-track** briefing and argument, the Supreme Court issued its opinion just **two days** before the law was scheduled to go into effect. The **unanimous opinion** was "per curiam," meaning no single justice was credited as its author.



Since the quickly written opinion addressed **novel** and **unfamiliar** technology, the court wrote that its "analysis must be understood to be **narrowly focused**."

While the justices **didn't** buy that the ban was justified by fears **China** might **weaponize** TikTok by controlling what users see...

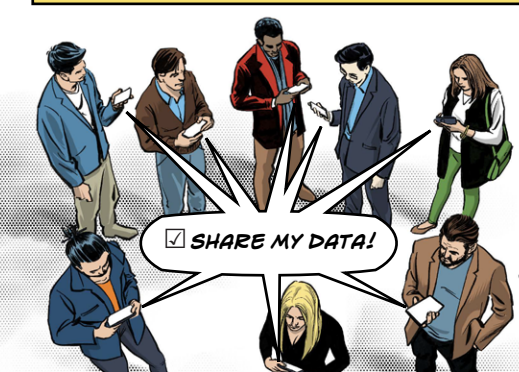


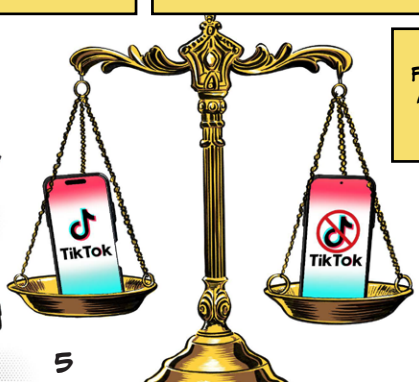


...the court **upheld** the law, finding that the government's national security and data privacy concerns **justified** its **restrictions** on speech.

Even though TikTok is far from the only app or website that collects users' data and has ties to China, the court held that TikTok could be **singled out** because it has many more American users than any other such service.

The ruling sent TikTok **offline.** But soon after President Trump took office, he vowed **not to enforce** the law until a **deal** was reached—so TikTok **returned.**



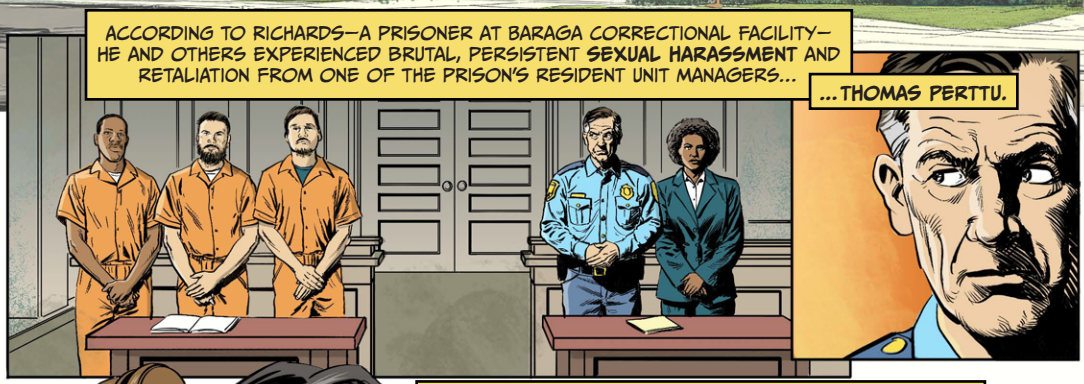


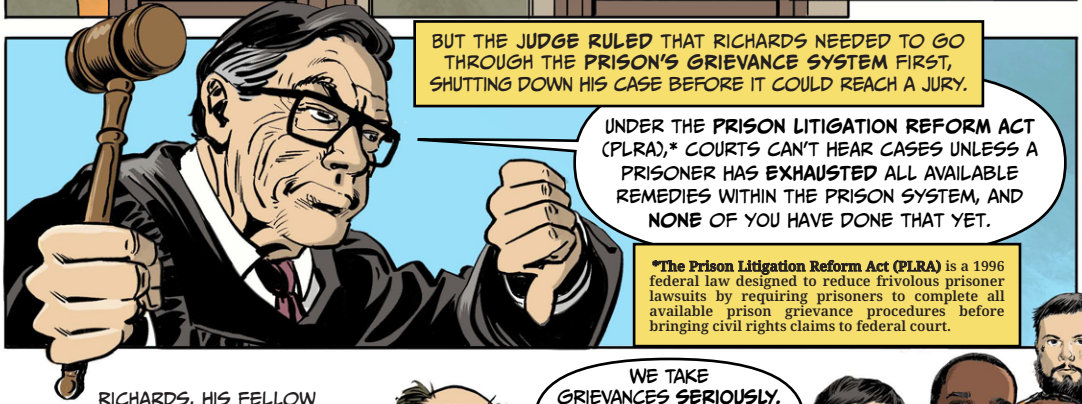
For now... the **future** of TikTok—and free speech online—remains **in flux.**

Perttu v. *Richards*

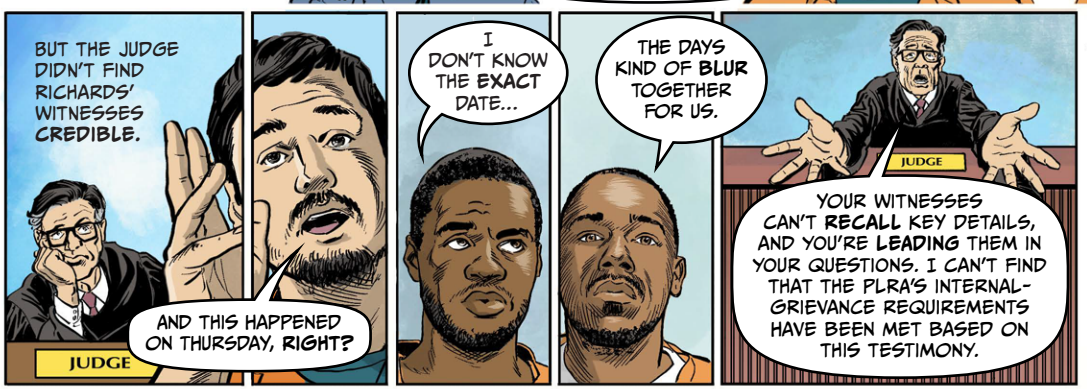
★ ★ ★ ★ ★ ★ ★

James Craven





RICHARDS, HIS FELLOW WOULD-BE PLAINTIFFS, AND MANY WITNESSES HAD TESTIFIED THAT THE GRIEVANCE SYSTEM WAS **BADLY BROKEN**—AND THAT THE DEFENDANT USED IT TO ENSURE PRISONERS' HARASSMENT AND RETALIATION CLAIMS NEVER SAW THE LIGHT OF DAY.



HAD THE PLRA'S EXHAUSTION REQUIREMENTS FILTERED OUT A **FRIVOLOUS CASE**—OR LET PRISON OFFICIALS **BURY** AN **EXPLOSIVE ONE** BEFORE IT EVER REACHED A JURY?

IT'S **IMPOSSIBLE** TO SAY WITHOUT KNOWING WHETHER PERTTU REALLY WAS PREVENTING RICHARDS FROM FILING INTERNAL GRIEVANCES.

IF RICHARDS' **ALLEGATIONS** ABOUT PERTTU AND OTHER PRISON OFFICIALS INTERFERING WITH HIS EFFORTS TO PURSUE INTERNAL GRIEVANCE PROCEDURES WERE **BASELESS,** THEN THE PLRA HAD **WORKED AS INTENDED.**

BUT IF THOSE ALLEGATIONS WERE **TRUE...**

DAMN... SHOULD'VE SPRUNG FOR THE INDUSTRIAL SHREDDER.

GRIEVANCE

...THEN THE PLRA WAS BEING **MISUSED** TO SWEEP **HORRIFIC MISCONDUCT** UNDER THE RUG AND ENSURE THE VICTIMS **NEVER** GOT THEIR DAY IN COURT.

IN OTHER WORDS, WHETHER RICHARDS COULD "EXHAUST ALL REMEDIES" UNDER THE PLRA HINGED ON THE VERY ALLEGATIONS HE WAS TRYING TO **PROVE.**

PLRA THE GAME

START

File a grievance with prison officials.

The prison officials are corrupt and destroy your grievance.

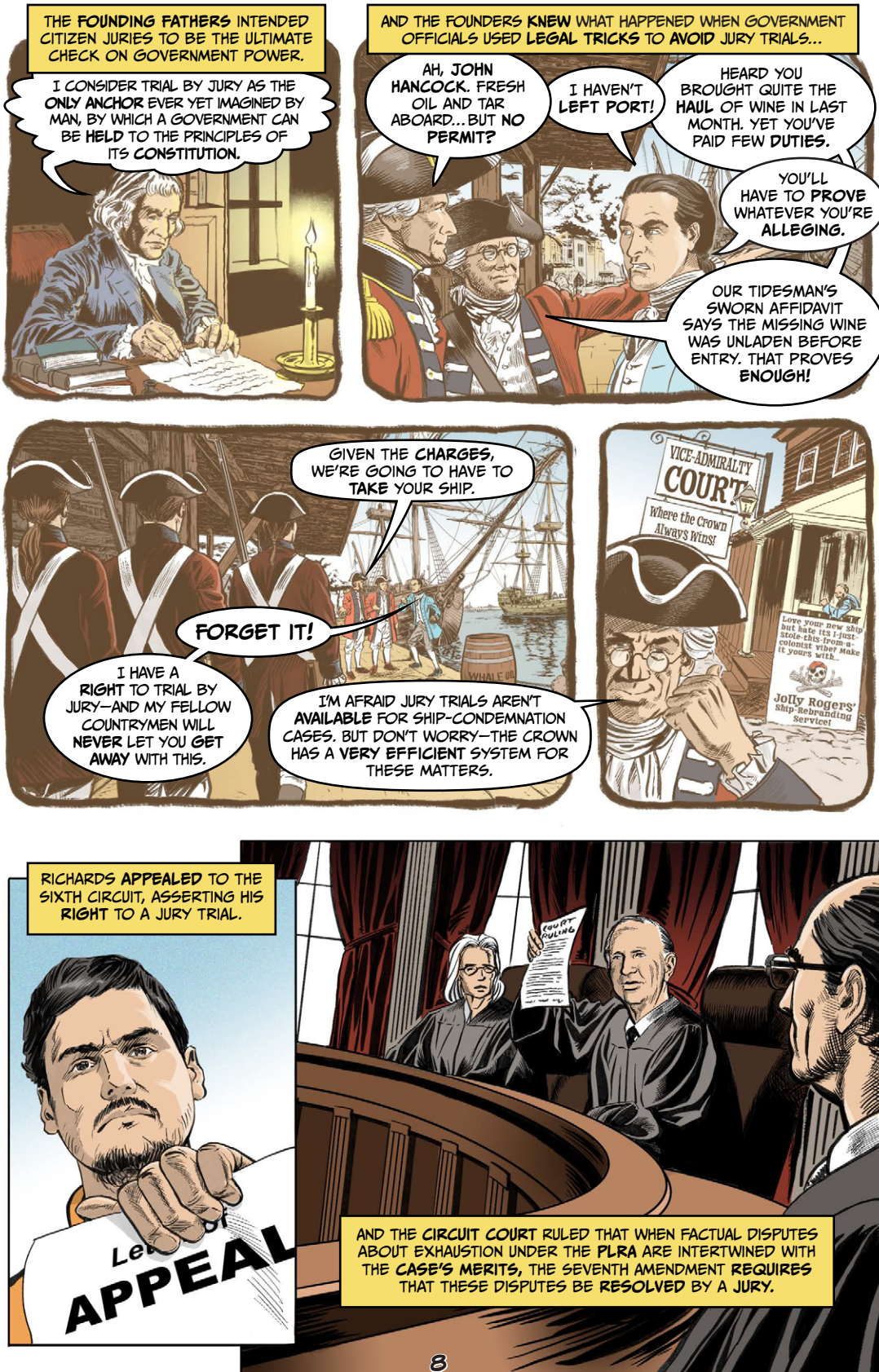
RETURN TO SQUARE 1!

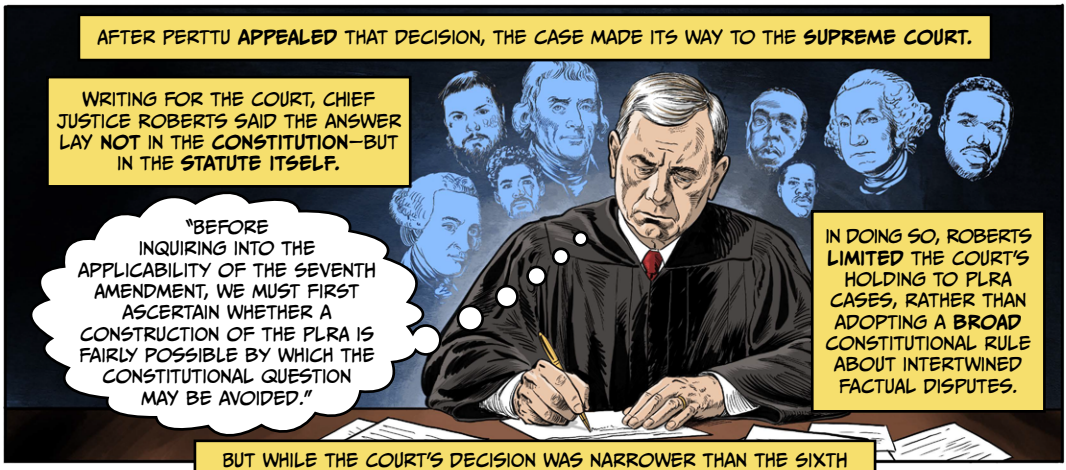
Your constitutionally protected rights to a jury trial.

AND THE PLRA PREVENTED HIM FROM PUTTING THOSE ALLEGATIONS IN FRONT OF AN **IMPARTIAL JURY,** A SAFEGUARD THE SEVENTH AMENDMENT WAS MEANT TO **PRESERVE.**

IN FACT, QUESTIONS LIKE THE **CREDIBILITY** OF THE WITNESSES WHO SUPPORTED RICHARDS AND HIS FELLOW PLANTIFFS...

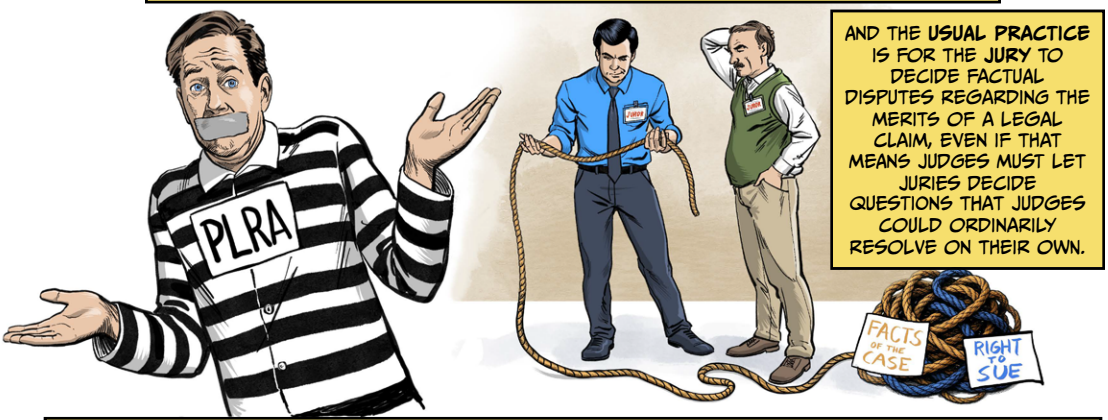
...ARE **EXACTLY** THE KIND OF THING **JURIES** ARE SUPPOSED TO **DECIDE.**


THE FOUNDING FATHERS INTENDED CITIZEN JURIES TO BE THE ULTIMATE CHECK ON GOVERNMENT POWER.
I CONSIDER TRIAL BY JURY AS THE ONLY ANCHOR EVER YET IMAGINED BY MAN, BY WHICH A GOVERNMENT CAN BE HELD TO THE PRINCIPLES OF ITS CONSTITUTION.
AND THE FOUNDERS KNEW WHAT HAPPENED WHEN GOVERNMENT OFFICIALS USED LEGAL TRICKS TO AVOID JURY TRIALS...
AH, JOHN HANCOCK. FRESH OIL AND TAR ABOARD... BUT NO PERMIT?
I HAVEN'T LEFT PORT!
HEARD YOU BROUGHT QUITE THE HAUL OF WINE IN LAST MONTH. YET YOU'VE PAID FEW DUTIES.
YOU'LL HAVE TO PROVE WHATEVER YOU'RE ALLEGING.
OUR TIDESMAN'S SWORN AFFIDAVIT SAYS THE MISSING WINE WAS UNLADEN BEFORE ENTRY. THAT PROVES ENOUGH!
GIVEN THE CHARGES, WE'RE GOING TO HAVE TO TAKE YOUR SHIP.
FORGET IT!
I HAVE A RIGHT TO TRIAL BY JURY—AND MY FELLOW COUNTRYMEN WILL NEVER LET YOU GET AWAY WITH THIS.
I'M AFRAID JURY TRIALS AREN'T AVAILABLE FOR SHIP-CONDEMNATION CASES. BUT DON'T WORRY—THE CROWN HAS A VERY EFFICIENT SYSTEM FOR THESE MATTERS.
WHALE OIL
VICE-ADMIRALTY COURT
Where the Crown Always Wins!
Love your new ship but hate its I-just-stole-this-from-a-colonist vibe? Make it yours with...
Jolly Rogers' Ship-Rebranding Service!
RICHARDS APPEALED TO THE SIXTH CIRCUIT, ASSERTING HIS RIGHT TO A JURY TRIAL.
APPEAL
COURT RULING
AND THE CIRCUIT COURT RULED THAT WHEN FACTUAL DISPUTES ABOUT EXHAUSTION UNDER THE PLRA ARE INTERTWINED WITH THE CASE'S MERITS, THE SEVENTH AMENDMENT REQUIRES THAT THESE DISPUTES BE RESOLVED BY A JURY.

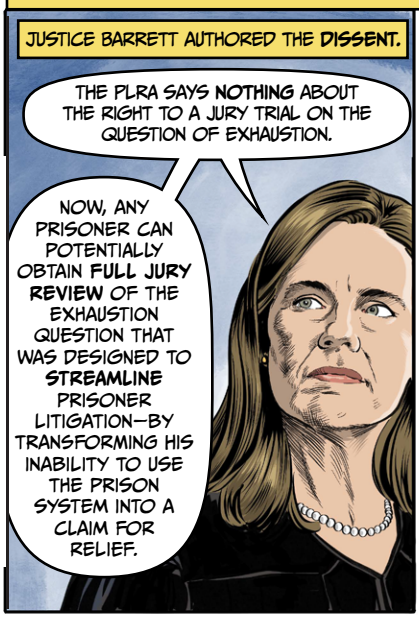


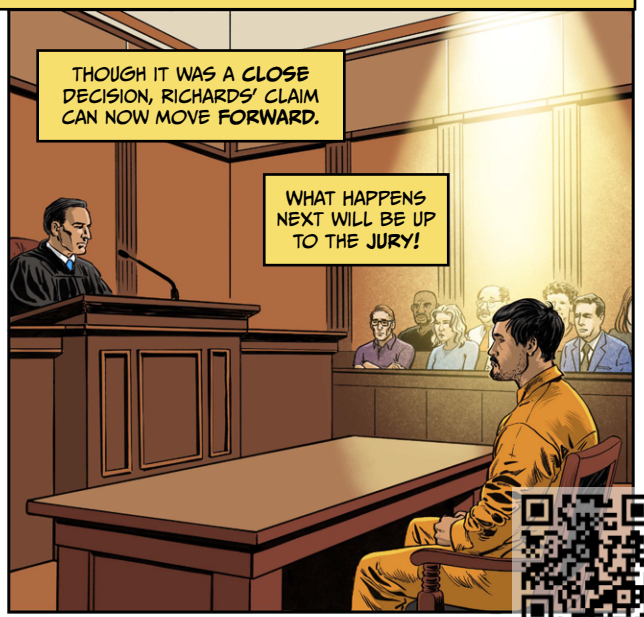
BUT WHILE THE COURT'S DECISION WAS NARROWER THAN THE SIXTH CIRCUIT'S, IT ULTIMATELY **AFFIRMED** THE SIXTH CIRCUIT'S RULING.

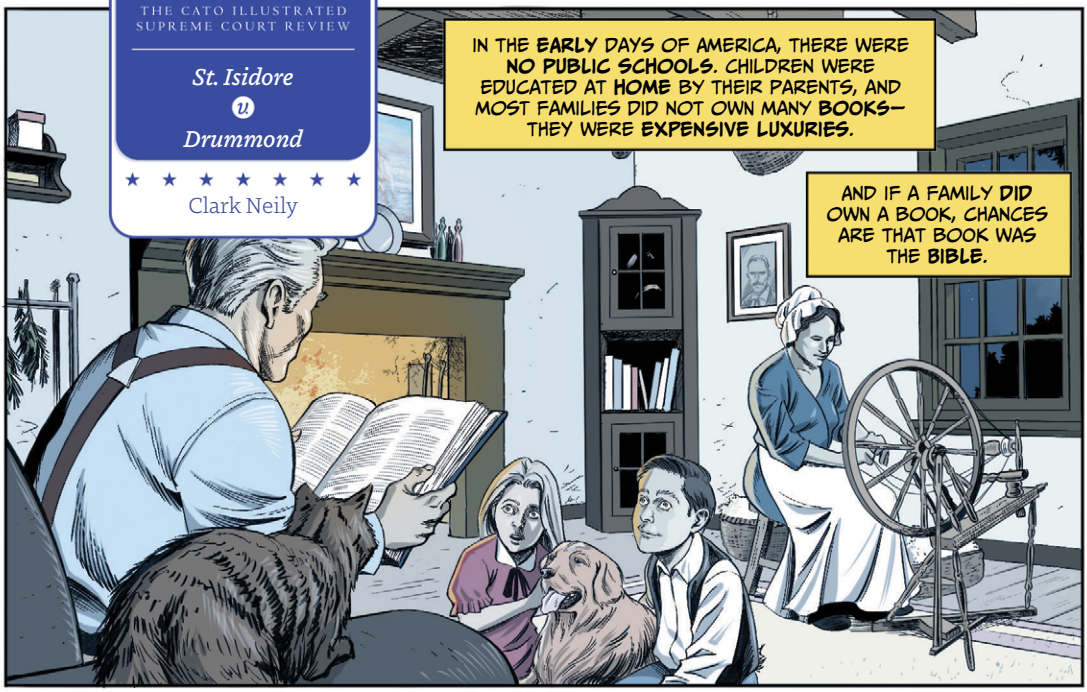
IT DETERMINED THAT SINCE THE PLRA WAS **SILENT** ON WHETHER JUDGES OR JURIES SHOULD RESOLVE EXHAUSTION DISPUTES, THE **USUAL PRACTICE** SHOULD BE FOLLOWED.

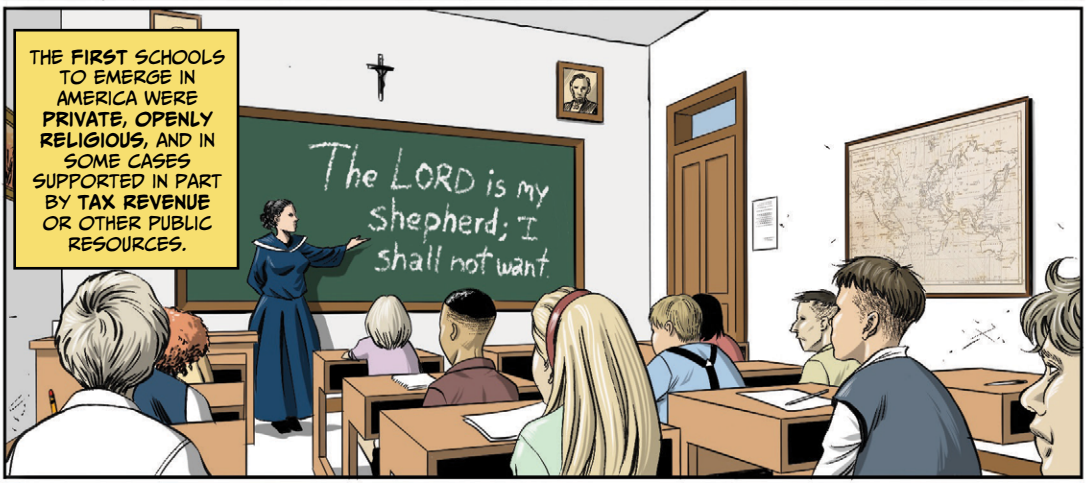


IT PROVED TO BE A **CLOSE CASE,** WITH ROBERTS' OPINION **NARROWLY** SECURING A 5-4 MAJORITY.

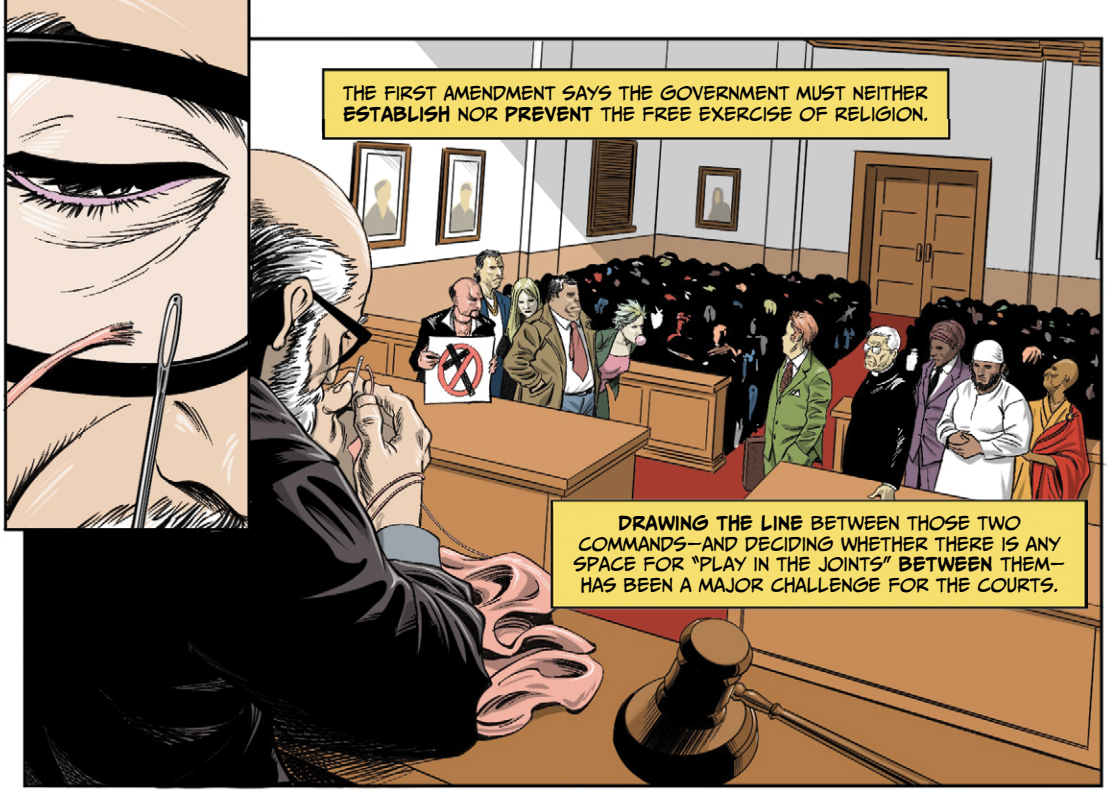




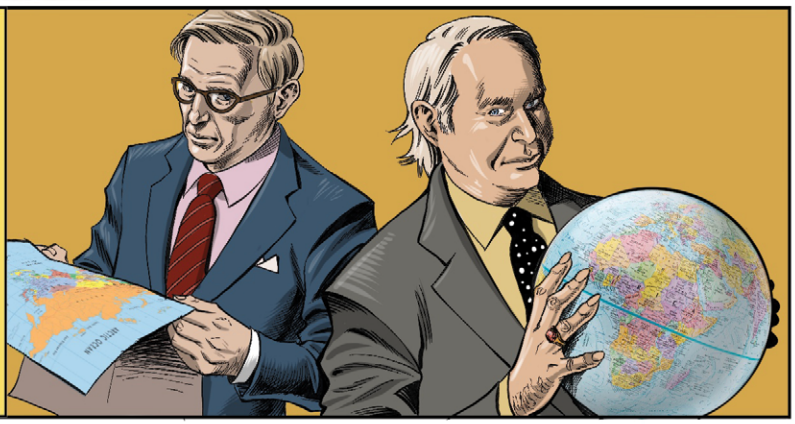

IN THE EARLY DAYS OF AMERICA, THERE WERE NO PUBLIC SCHOOLS. CHILDREN WERE EDUCATED AT HOME BY THEIR PARENTS, AND MOST FAMILIES DID NOT OWN MANY BOOKS—THEY WERE EXPENSIVE LUXURIES.
AND IF A FAMILY DID OWN A BOOK, CHANCES ARE THAT BOOK WAS THE BIBLE.

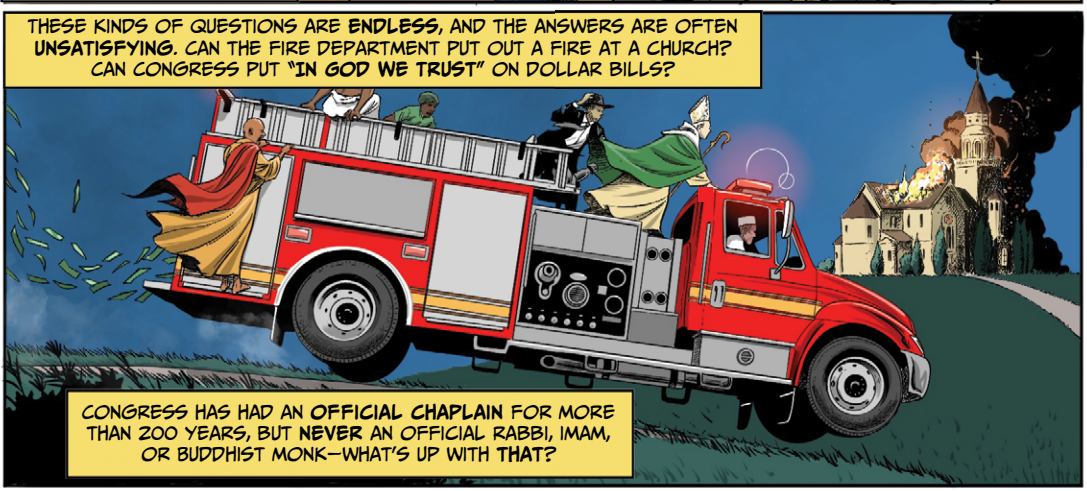

THE FIRST SCHOOLS TO EMERGE IN AMERICA WERE PRIVATE, OPENLY RELIGIOUS, AND IN SOME CASES SUPPORTED IN PART BY TAX REVENUE OR OTHER PUBLIC RESOURCES.
The LORD is my Shepherd; I shall not want


THE RELIGIOUS—SPECIFICALLY, PROTESTANT CHRISTIAN—CHARACTER OF MANY PUBLIC SCHOOLS CONTINUED WELL INTO THE 19TH AND EVEN 20TH CENTURIES.
THIS CAUSED GROWING TENSION WITH IMMIGRANTS FROM TRADITIONALLY CATHOLIC COUNTRIES SUCH AS IRELAND AND ITALY, WHO DID NOT APPRECIATE THEIR CHILDREN BEING TAUGHT BOTH READING AND THEOLOGY FROM THE KING JAMES BIBLE.

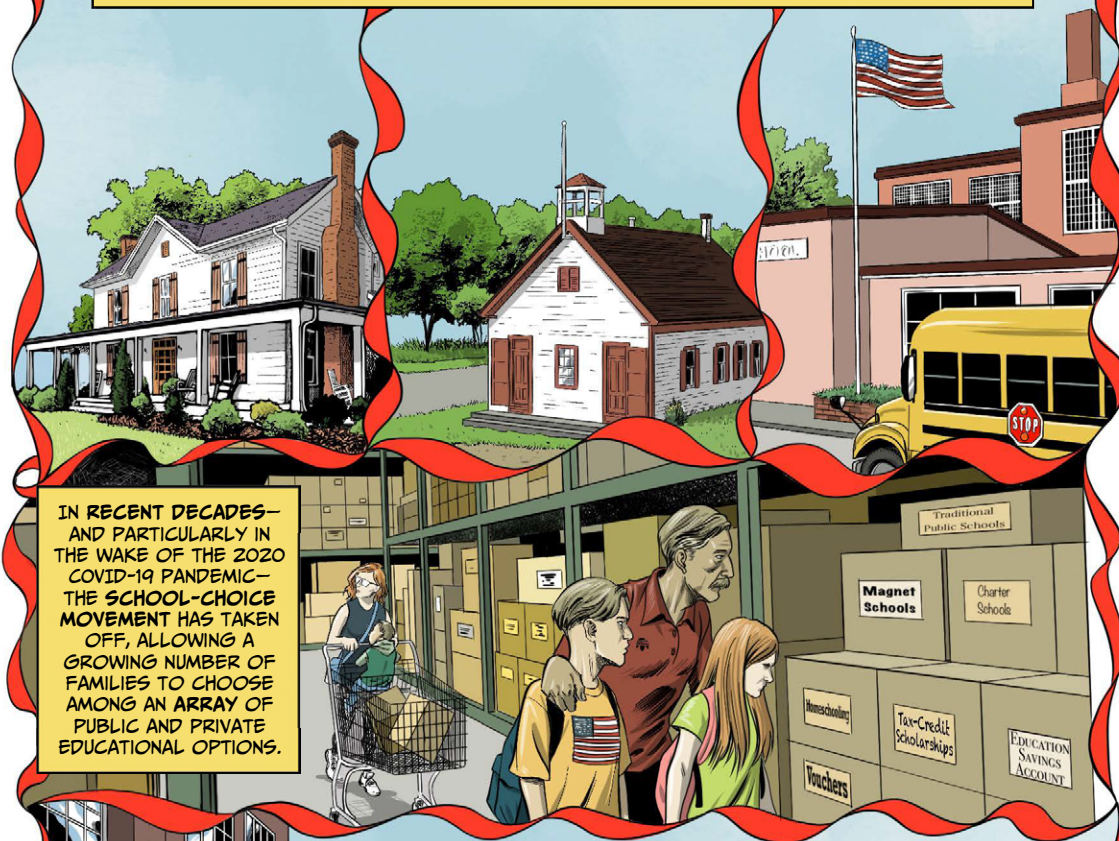


AS ESSAYIST GEORGE F. WILL HUMOROUSLY RELATED IN A 2021 COLUMN, "DECADES AGO, THE SUPREME COURT RULED THAT THE FIRST AMENDMENT'S PROHIBITION OF 'ESTABLISHMENT' OF RELIGION WAS VIOLATED IF THE GOVERNMENT SUPPLIED **MAPS** TO RELIGIOUS SCHOOLS, BUT NOT IF IT SUPPLIED **BOOKS**. SO, SENATOR DANIEL PATRICK MOYNIHAN MISCHIEVOUSLY WONDERED: WHAT ABOUT **ATLASES**, WHICH ARE BOOKS OF MAPS?"



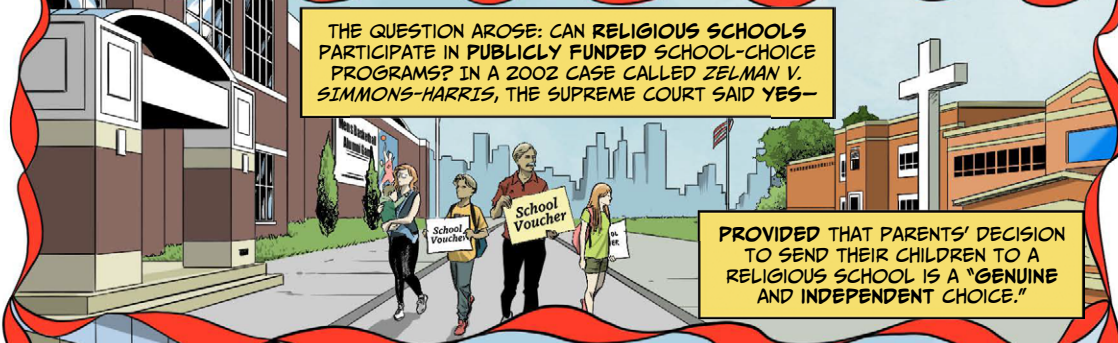


MEANWHILE, THE **FACE OF EDUCATION** HAS CHANGED **RADICALLY**: FROM **NO** PUBLIC SCHOOLS, TO **UNABASHEDLY RELIGIOUS** PUBLIC SCHOOLS, TO TODAY'S **SECULAR** PUBLIC SCHOOLS—REQUIRED BY COURTS TO AVOID RELIGIOUS INSTRUCTION ON CONSTITUTIONAL GROUNDS.



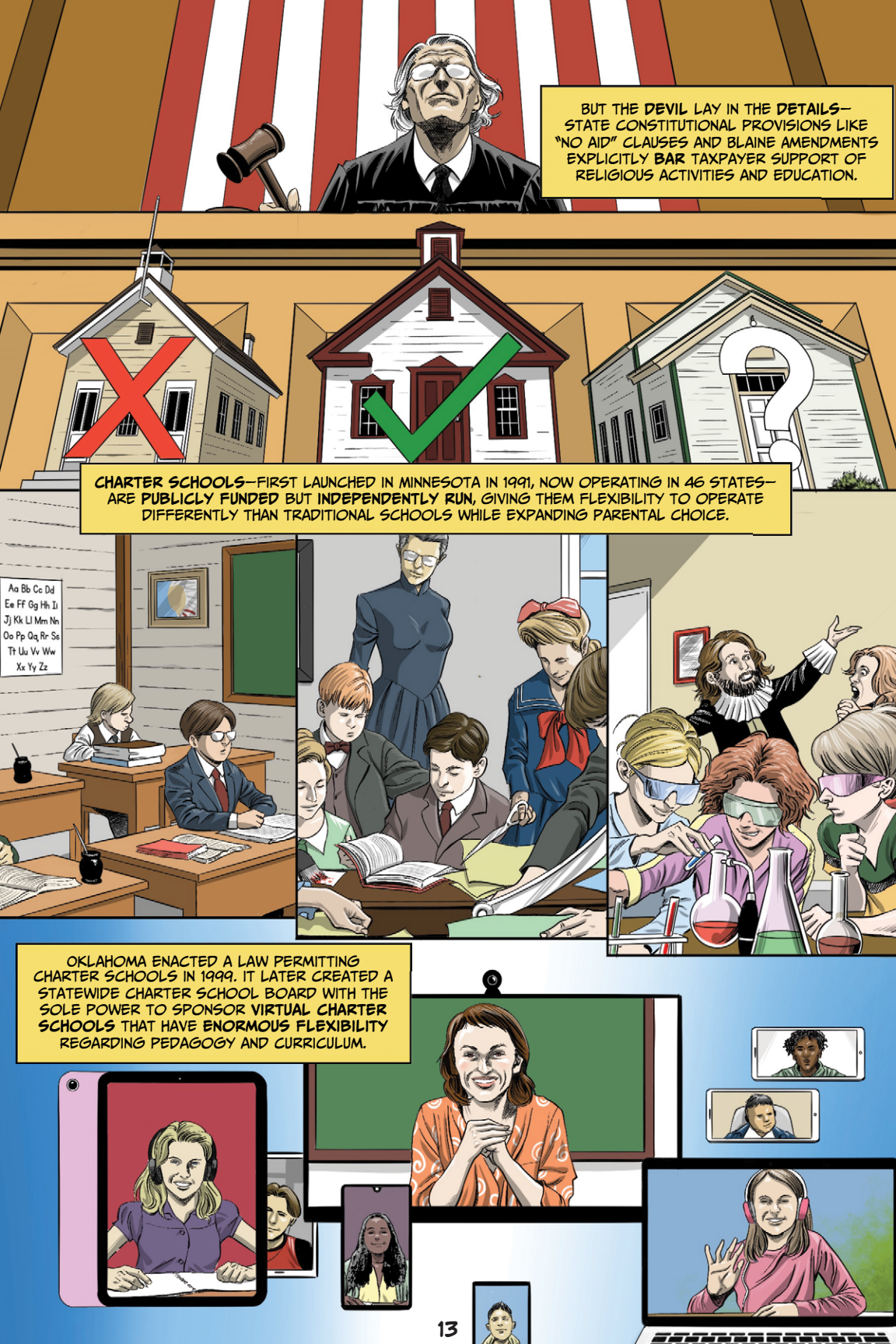
IN **RECENT DECADES**—AND PARTICULARLY IN THE WAKE OF THE 2020 COVID-19 PANDEMIC—THE **SCHOOL-CHOICE MOVEMENT** HAS TAKEN OFF, ALLOWING A GROWING NUMBER OF FAMILIES TO CHOOSE AMONG AN **ARRAY** OF PUBLIC AND PRIVATE EDUCATIONAL OPTIONS.

THE QUESTION AROSE: CAN **RELIGIOUS SCHOOLS** PARTICIPATE IN **PUBLICLY FUNDED** SCHOOL-CHOICE PROGRAMS? IN A 2002 CASE CALLED *ZELMAN V. SIMMONS-HARRIS*, THE SUPREME COURT SAID **YES**—



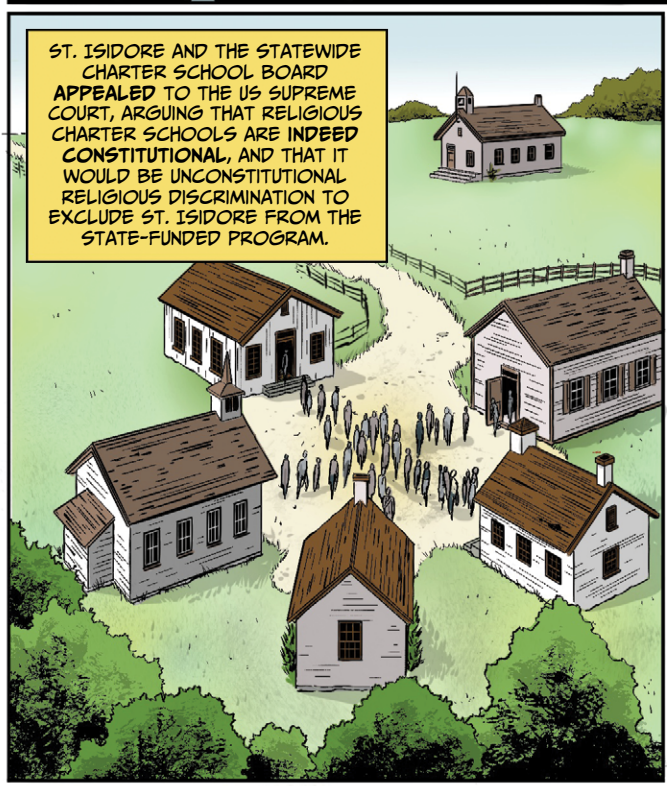
PROVIDED THAT PARENTS' DECISION TO SEND THEIR CHILDREN TO A RELIGIOUS SCHOOL IS A "**GENUINE** AND **INDEPENDENT** CHOICE."

THAT DECISION WAS **HARDLY SURPRISING**, GIVEN THAT TAX DOLLARS HAD **LONG** BEEN SUPPORTING RELIGIOUS **HOSPITALS, DAY CARE FACILITIES**, AND EVEN **HIGHER EDUCATION** AT OPENLY RELIGIOUS SCHOOLS SUCH AS THE UNIVERSITY OF NOTRE DAME, VIA PELL GRANTS AND THE GI BILL.


BUT THE **DEVIL** LAY IN THE **DETAILS**—STATE CONSTITUTIONAL PROVISIONS LIKE "NO AID" CLAUSES AND BLAINE AMENDMENTS EXPLICITLY **BAR** TAXPAYER SUPPORT OF RELIGIOUS ACTIVITIES AND EDUCATION.
CHARTER SCHOOLS—FIRST LAUNCHED IN MINNESOTA IN 1991, NOW OPERATING IN 46 STATES—ARE **PUBLICLY FUNDED** BUT **INDEPENDENTLY RUN**, GIVING THEM FLEXIBILITY TO OPERATE DIFFERENTLY THAN TRADITIONAL SCHOOLS WHILE EXPANDING PARENTAL CHOICE.
Aa Bb Cc Dd
Ee Ff Gg Hh Ii
Jj Kk Ll Mm Nn
Oo Pp Qq Rr Ss
Tt Uu Vv Ww
Xx Yy Zz
OKLAHOMA ENACTED A LAW PERMITTING CHARTER SCHOOLS IN 1999. IT LATER CREATED A STATEWIDE CHARTER SCHOOL BOARD WITH THE SOLE POWER TO SPONSOR **VIRTUAL CHARTER SCHOOLS** THAT HAVE **ENORMOUS FLEXIBILITY** REGARDING PEDAGOGY AND CURRICULUM.

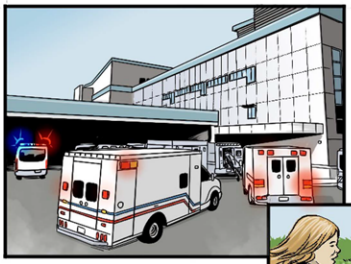

IN 2023, THE CATHOLIC ARCHDIOCESE OF OKLAHOMA CITY AND THE DIOCESE OF TULSA FORMED THE ST. ISIDORE OF SEVILLE CATHOLIC VIRTUAL SCHOOL AND APPLIED TO JOIN OKLAHOMA'S **CHARTER SCHOOL PROGRAM**—MAKING CLEAR THAT THE NEW SCHOOL WOULD **INTEGRATE RELIGION** INTO ITS PROPOSED CURRICULUM.

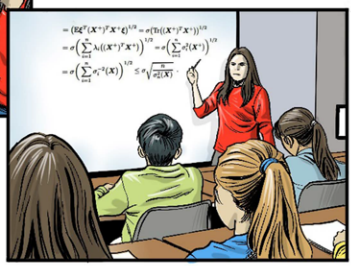

CONCERNED THAT **EXCLUDING** ST. ISIDORE FROM THE CHARTER SCHOOL PROGRAM MIGHT AMOUNT TO **UNCONSTITUTIONAL ANTI-RELIGIOUS DISCRIMINATION**, THE BOARD **APPROVED** THE APPLICATION.
ST. ISIDORE OF SEVILLE CATHOLIC VIRTUAL SCHOOL
OKLAHOMA'S ATTORNEY GENERAL FILED SUIT THE **NEXT DAY**—ARGUING THAT ALLOWING ST. ISIDORE TO PROVIDE **RELIGIOUS EDUCATION** WITH **PUBLIC DOLLARS** WOULD VIOLATE STATE LAW, THE OKLAHOMA CONSTITUTION, AND THE US CONSTITUTION. THE OKLAHOMA SUPREME COURT **AGREED**.


ST. ISIDORE AND THE STATEWIDE CHARTER SCHOOL BOARD **APPEALED** TO THE US SUPREME COURT, ARGUING THAT RELIGIOUS CHARTER SCHOOLS ARE **INDEED CONSTITUTIONAL**, AND THAT IT WOULD BE UNCONSTITUTIONAL RELIGIOUS DISCRIMINATION TO EXCLUDE ST. ISIDORE FROM THE STATE-FUNDED PROGRAM.

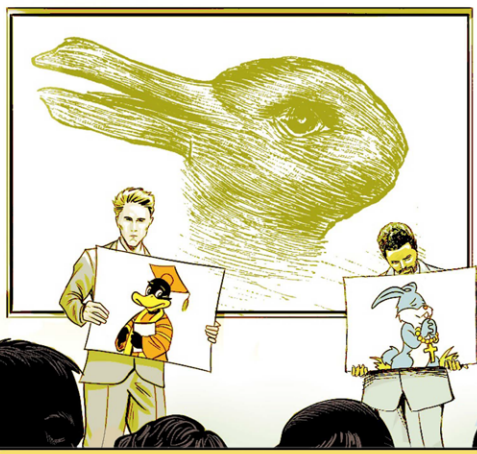

AT THE SUPREME COURT, THE OPPOSING PARTIES PRESENTED THE JUSTICES WITH **TWO RADICALLY DIFFERENT TAKES.** IN ONE TELLING, ST. ISIDORE IS AN UNABASHEDLY RELIGIOUS INSTITUTION THAT SEEKS TO INDOCTRINATE CHILDREN UNDER THE AUSPICES OF EDUCATING THEM.

IN THE OTHER TELLING, ST. ISIDORE IS JUST ANOTHER ONE OF THE **COUNTLESS** PRIVATE ENTITIES THAT STATES ROUTINELY CONTRACT WITH TO PROVIDE VARIOUS PUBLIC SERVICES, INCLUDING HEALTH CARE, CHILD CARE—AND, YES, **EDUCATION**.





THE PARTIES ESSENTIALLY PRESENTED THE JUSTICES WITH A LEGAL **OPTICAL ILLUSION**—TWO COMPLETELY DIFFERENT REALITIES IN THE SAME SET OF FACTS.



WHICH ONE YOU SEE—A **SCHOOL** THAT HAPPENS TO BE RUN BY A RELIGIOUS INSTITUTION, OR A **RELIGIOUS INSTITUTION** THAT HAPPENS TO PROVIDE EDUCATION—DETERMINES THE OUTCOME OF THE CASE.

AND HERE IS **LITERALLY EVERYTHING** THE SUPREME COURT HAD TO SAY ABOUT THIS CASE.

SUPREME COURT OF THE UNITED STATES

ST. ISIDORE OF SEVILLE CATHOLIC VIRTUAL SCHOOL

v.

GENTNER DRUMMOND, ATTORNEY GENERAL OF OKLAHOMA

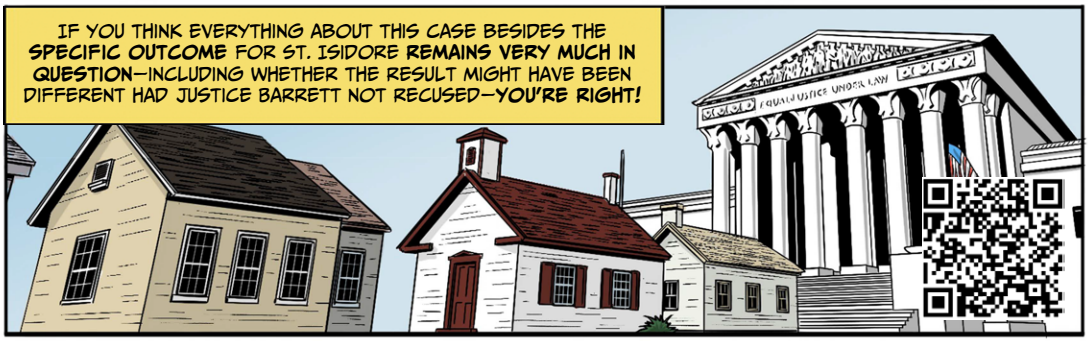
[May 22, 2025]

PER CURIAM.

The judgment is affirmed by an equally divided Court.

JUSTICE BARRETT took no part in the consideration or decision of these cases.

IF YOU THINK EVERYTHING ABOUT THIS CASE BESIDES THE **SPECIFIC OUTCOME** FOR ST. ISIDORE **REMAINS VERY MUCH IN QUESTION**—INCLUDING WHETHER THE RESULT MIGHT HAVE BEEN DIFFERENT HAD JUSTICE BARRETT NOT RECUSED—**YOU'RE RIGHT!**



Martin v. United States

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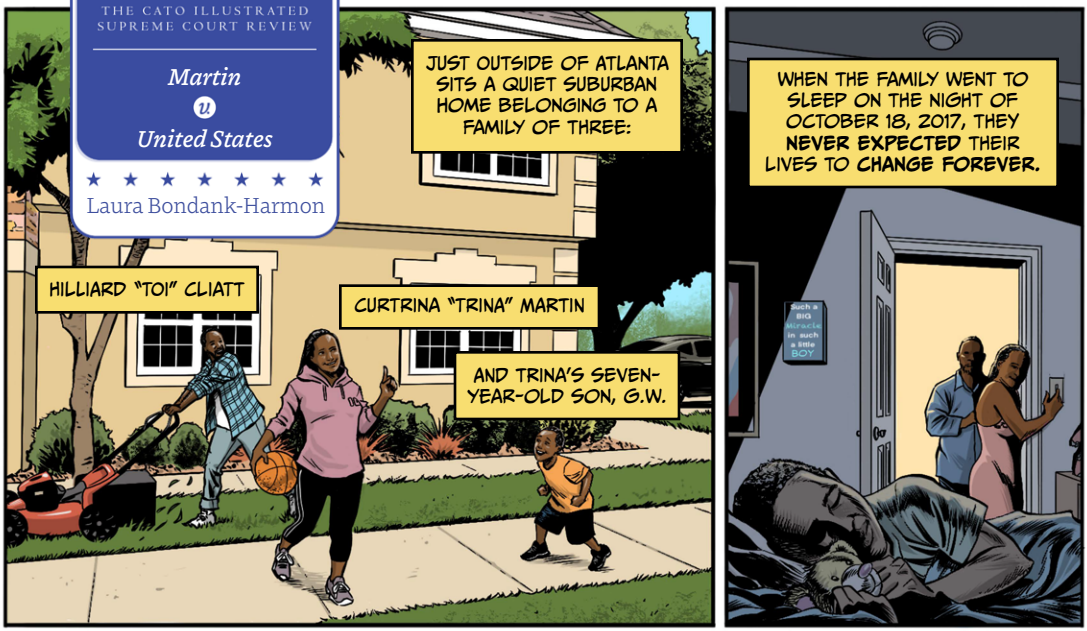
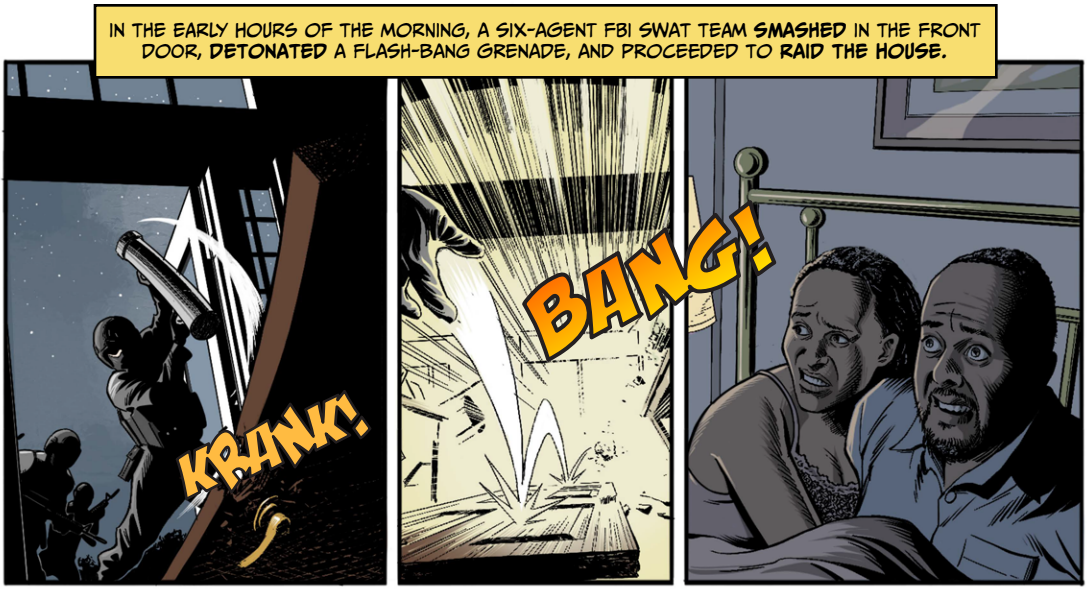
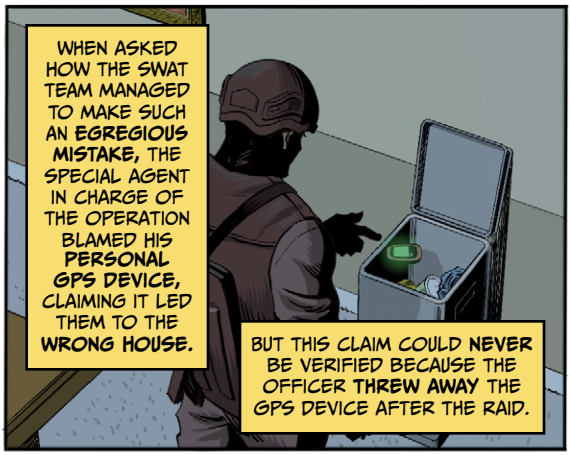
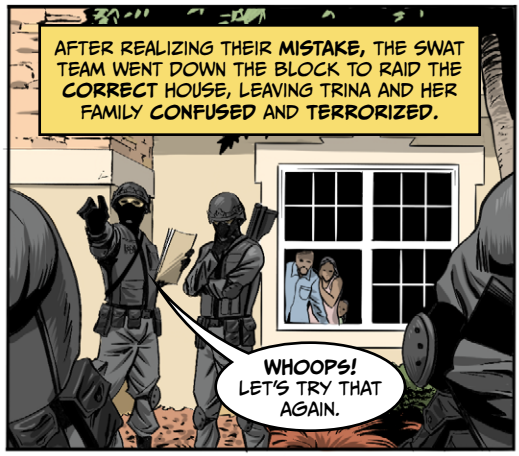
Laura Bondank-Harmon

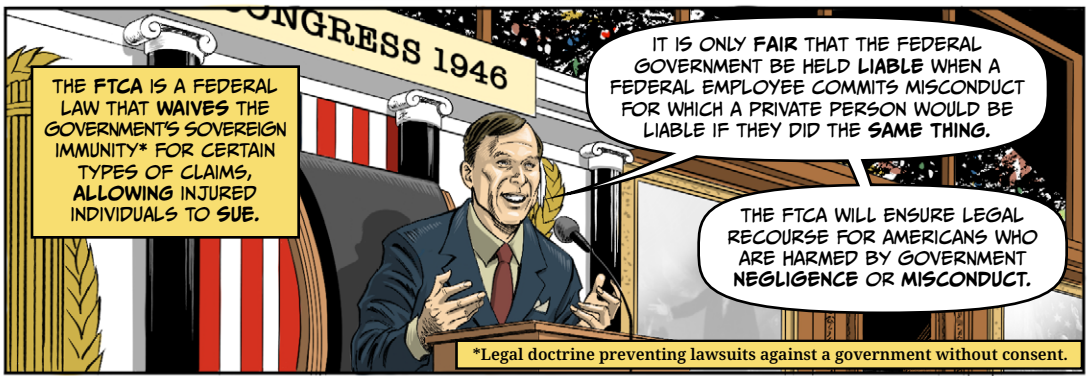





BUT HIDING PROVED USELESS.
DON'T MOVE! YOU'RE UNDER ARREST!
FREEZE! HANDS UP!
FBI
WHAT'S GOING ON?!
WHY IS THIS HAPPENING?!
PLEASE!! I NEED TO GO GET MY SON! PLEASE, I BEG YOU!
BUT AS QUICKLY AS THE RAID BEGAN, IT CAME TO AN ABRUPT HALT.
UH, GUYS? I THINK WE HAVE A PROBLEM.
FBI
UHH... WE'LL BE RIGHT BACK.
THE FBI SWAT TEAM HAD A WARRANT TO RAID THE HOUSE OF A SUSPECTED GANG MEMBER LOCATED AT 3741 LANDAU LANE.
THE ONLY PROBLEM? THEY WEREN'T ON LANDAU LANE. THEY WERE AT 3756 DENVILLE TRACE.







*Legal doctrine preventing lawsuits against a government without consent.

THE FTCA ALLOWS INDIVIDUALS TO **SUE** THE FEDERAL GOVERNMENT FOR **HARMS** COMMITTED BY FEDERAL EMPLOYEES IN THE COURSE OF THEIR EMPLOYMENT.

THREE POINTS! I **LOVE** DELIVERING MAIL.

HEY! THAT'S MY STUFF!

BUT THE GOVERNMENT WILL OFTEN TRY TO **BAR** A PLAINTIFF'S LAWSUIT USING **EXCEPTIONS** UNDER THE FTCA...

...LIKE THE **DISCRETIONARY FUNCTION EXCEPTION (DFE)**, WHICH ENDS ANY SUIT IF THE GOVERNMENT EMPLOYEE WAS ENTITLED USE TO THEIR DISCRETION WHEN THEY HARMED THE PLAINTIFF.

I EXERCISED MY **DISCRETION** IN DELIVERING THE MAIL, DID I NOT?

THE USPS HANDBOOK INSTRUCTS YOU TO AVOID **THROWING** THE MAIL...

...SO YOUR DISCRETION DOESN'T INCLUDE PLAYING BASKETBALL WITH THE PACKAGES. THE DFE DOESN'T APPLY.

BUT GETTING PAST THE DFE IS **NOT ALWAYS** A STRAIGHTFORWARD PROCESS AS LOWER COURTS FREQUENTLY **DISAGREE** ABOUT HOW AND WHEN THIS EXCEPTION SHOULD APPLY.

SOME COURTS HAVE HELD THAT THE DFE DOES NOT PROTECT CONDUCT MARKED BY **CARELESSNESS** OR **LAZINESS.**

SHOULD WE HAVE **SEARCHED** THESE GUYS?

THIS IS A **SUPER-SECURE** PRISON. I DON'T WANT TO WASTE TIME ON A **POINTLESS** SEARCH.

SOME COURTS REFUSE TO APPLY THE EXCEPTION WHEN FEDERAL LAW ENFORCEMENT OFFICERS **VIOLATE** A PLAINTIFF'S **CONSTITUTIONAL RIGHTS.**

HEY! YOU JUST CAN'T COME HERE WITHOUT A WARRANT!

AND SOME COURTS HAVE SUGGESTED THAT THE DFE DOESN'T APPLY TO **MINISTERIAL TASKS** SUCH AS TRANSPORTING SUSPECTS TO JAIL.

I SAID **DON'T TEXT AND DRIVE!** ESPECIALLY WHEN WE'RE TAKING SOMEONE TO **JAIL!**

I WASN'T **TEXTING.** I WAS **WATCHING** TIKTOK.

WHEN THE US COURT OF APPEALS FOR THE ELEVENTH CIRCUIT HEARD THIS CASE, IT EMPLOYED **ITS OWN APPROACH** TO THE DFE.

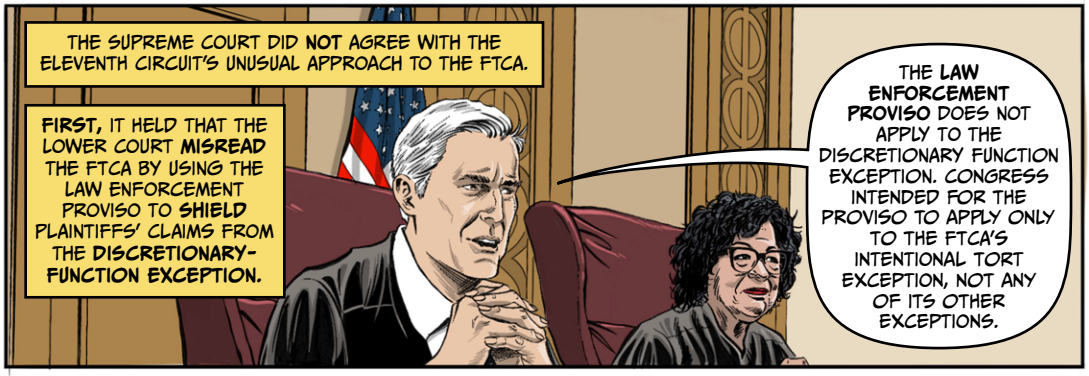
THERE IS A **LAW ENFORCEMENT PROVISO** IN THE FTCA THAT LETS PLAINTIFFS SUE POLICE FOR THIS KIND OF MISCONDUCT. WE FIND THE PROVISO APPLIES TO THE DFE, SO WE'LL MOVE ON TO THE **MERITS.**

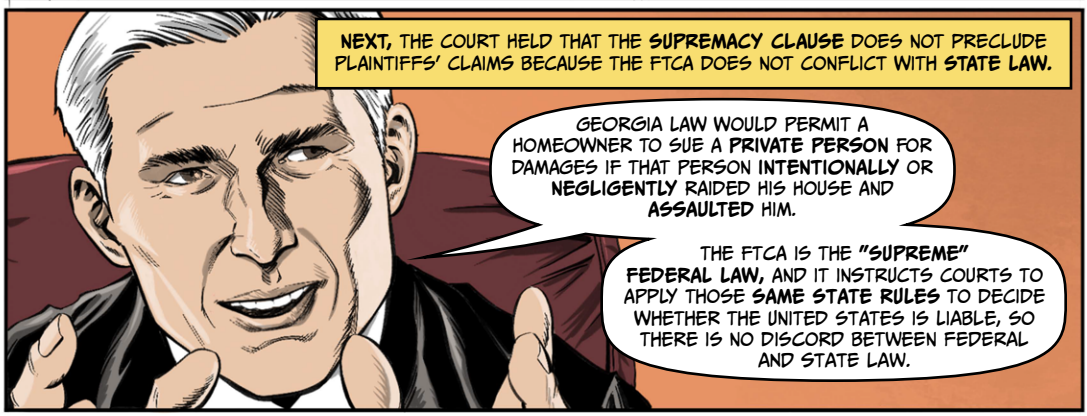
IT CHOSE TO BALANCE A **PLAINTIFF-FRIENDLY APPROACH** TO THE DFE WITH A **GOVERNMENT-FRIENDLY MERITS ANALYSIS.** IT DETERMINED THAT THE DFE DOES NOT BAR PLAINTIFFS' CLAIMS, BUT THAT THE CONSTITUTION'S SUPREMACY CLAUSE* PRECLUDED LIABILITY.

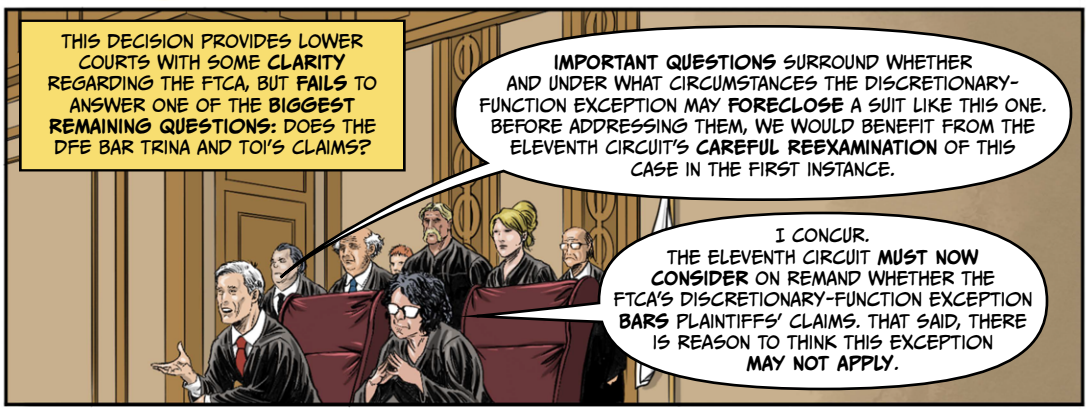
ON THE MERITS, WE FIND THAT THE SWAT TEAM'S ACTIONS **FURTHERED** FEDERAL POLICY AND **COMPLIED** WITH FEDERAL LAW. PLAINTIFFS' CLAIMS ARE THUS **BARRED** BY THE **SUPREMACY CLAUSE.**

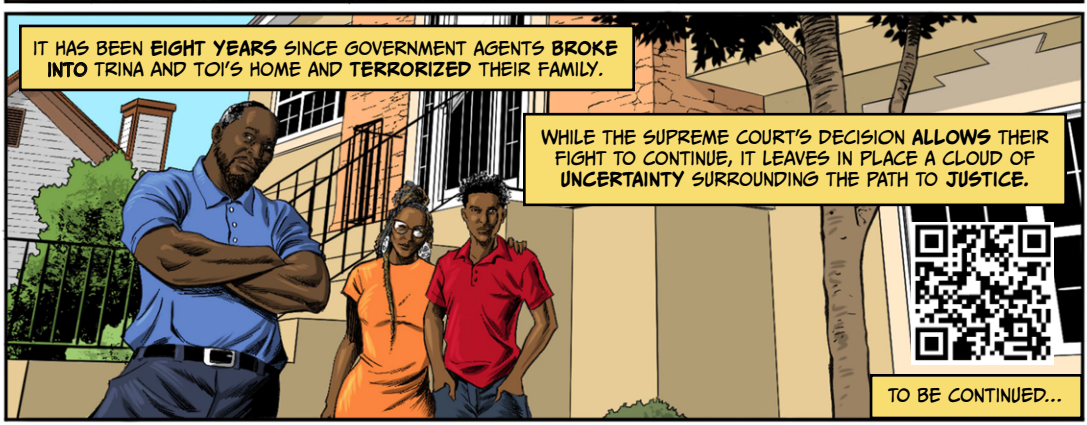
*The Supremacy Clause states that federal law precludes state law when federal and state laws conflict.

TRINA AND TOI **APPEALED** TO THE SUPREME COURT, WHICH **AGREED** TO HEAR THEIR CASE.



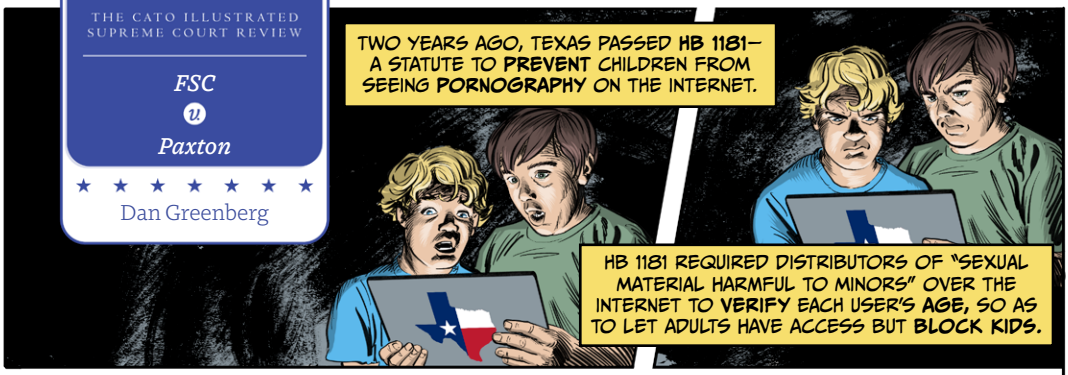


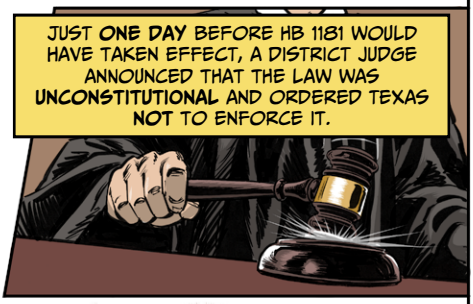


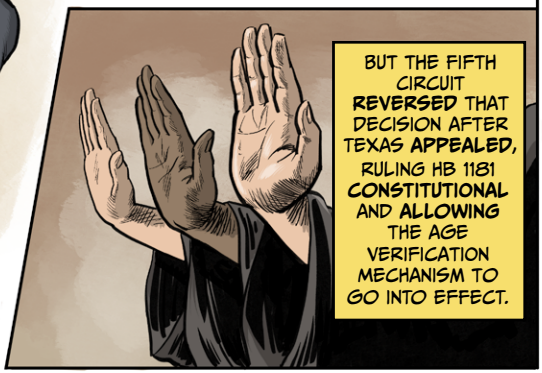


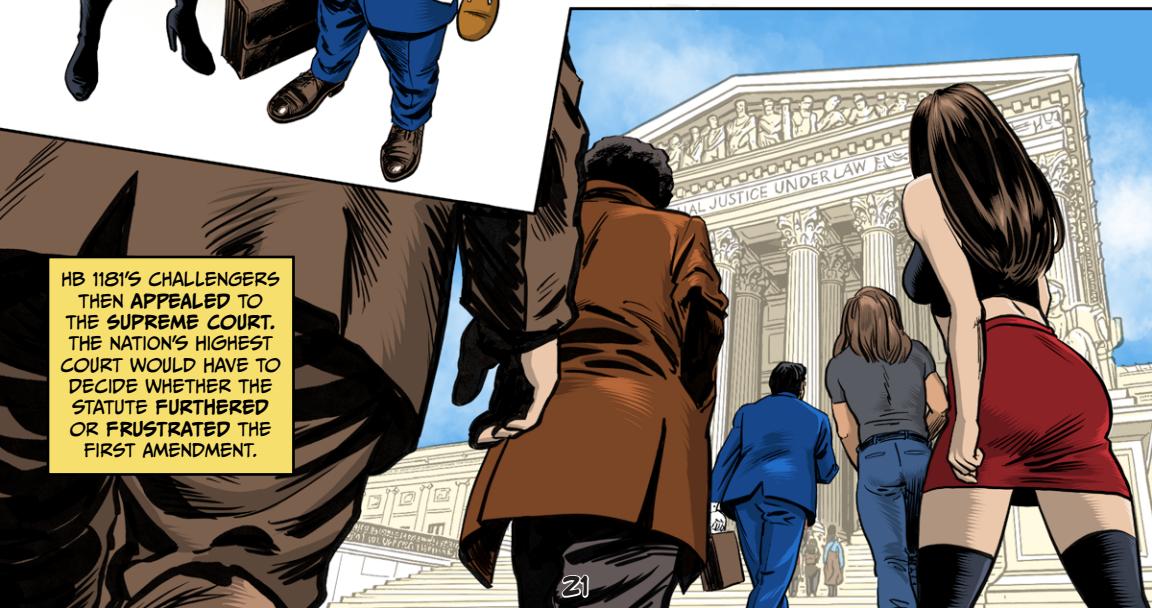
FSC v. Paxton

Dan Greenberg



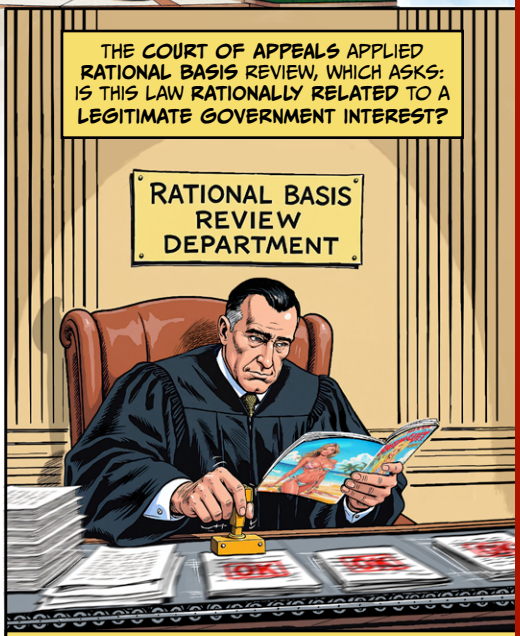




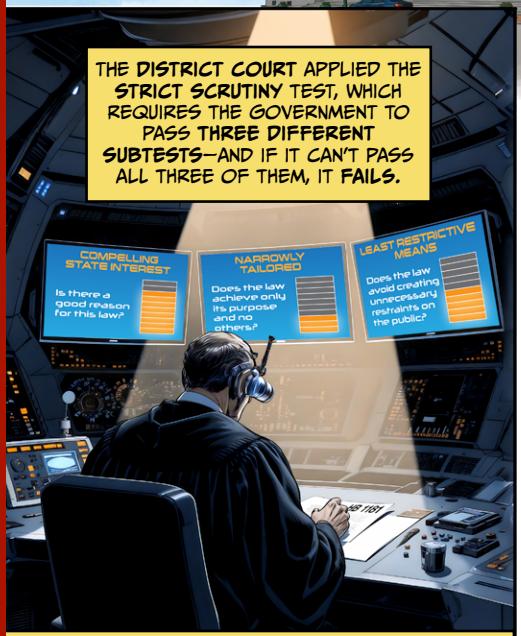


WHY DID THE TWO COURTS **DISAGREE** ON WHETHER HB 1181 WAS UNCONSTITUTIONAL? BECAUSE THEY USED **TWO DIFFERENT LEGAL TESTS** TO EVALUATE WHETHER THE LAW VIOLATED THE FIRST AMENDMENT, AND DIFFERENT TESTS YIELD DIFFERENT RESULTS. THE **EASIEST** TEST TO PASS IS THE **RATIONAL BASIS TEST,** AND THE **HARDEST** TEST IS **STRICT SCRUTINY.**

THE **COURT OF APPEALS** APPLIED **RATIONAL BASIS** REVIEW, WHICH ASKS: IS THIS LAW **RATIONALLY RELATED** TO A **LEGITIMATE GOVERNMENT INTEREST?**



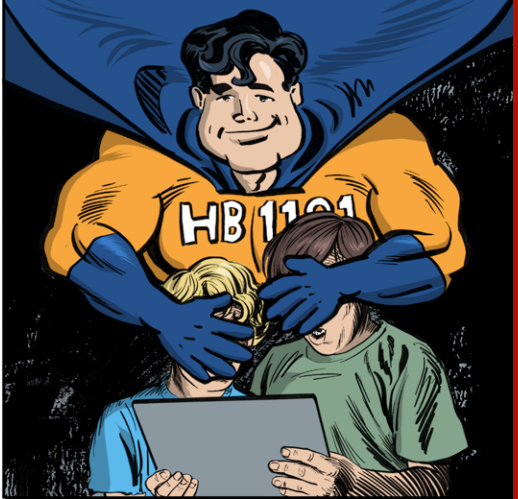
THE **DISTRICT COURT** APPLIED THE **STRICT SCRUTINY** TEST, WHICH REQUIRES THE GOVERNMENT TO PASS **THREE DIFFERENT SUBTESTS**—AND IF IT CAN'T PASS ALL THREE OF THEM, IT **FAILS.**



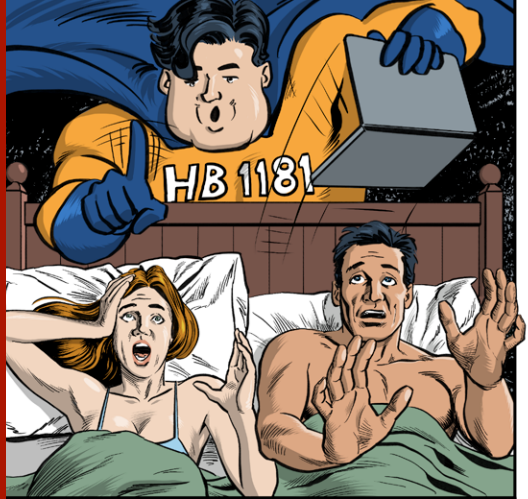
THE APPEALS COURT SAW HB 1181 AS REGULATING MINORS' **ACCESS** TO PORNOGRAPHY. PRECEDENT SUGGESTS THAT REGULATING CONTENT THAT'S OBSCENE FOR MINORS REQUIRES ONLY **MINIMAL SCRUTINY**—WHICH LED THE COURT OF APPEALS TO APPLY THE **RATIONAL BASIS** REVIEW...

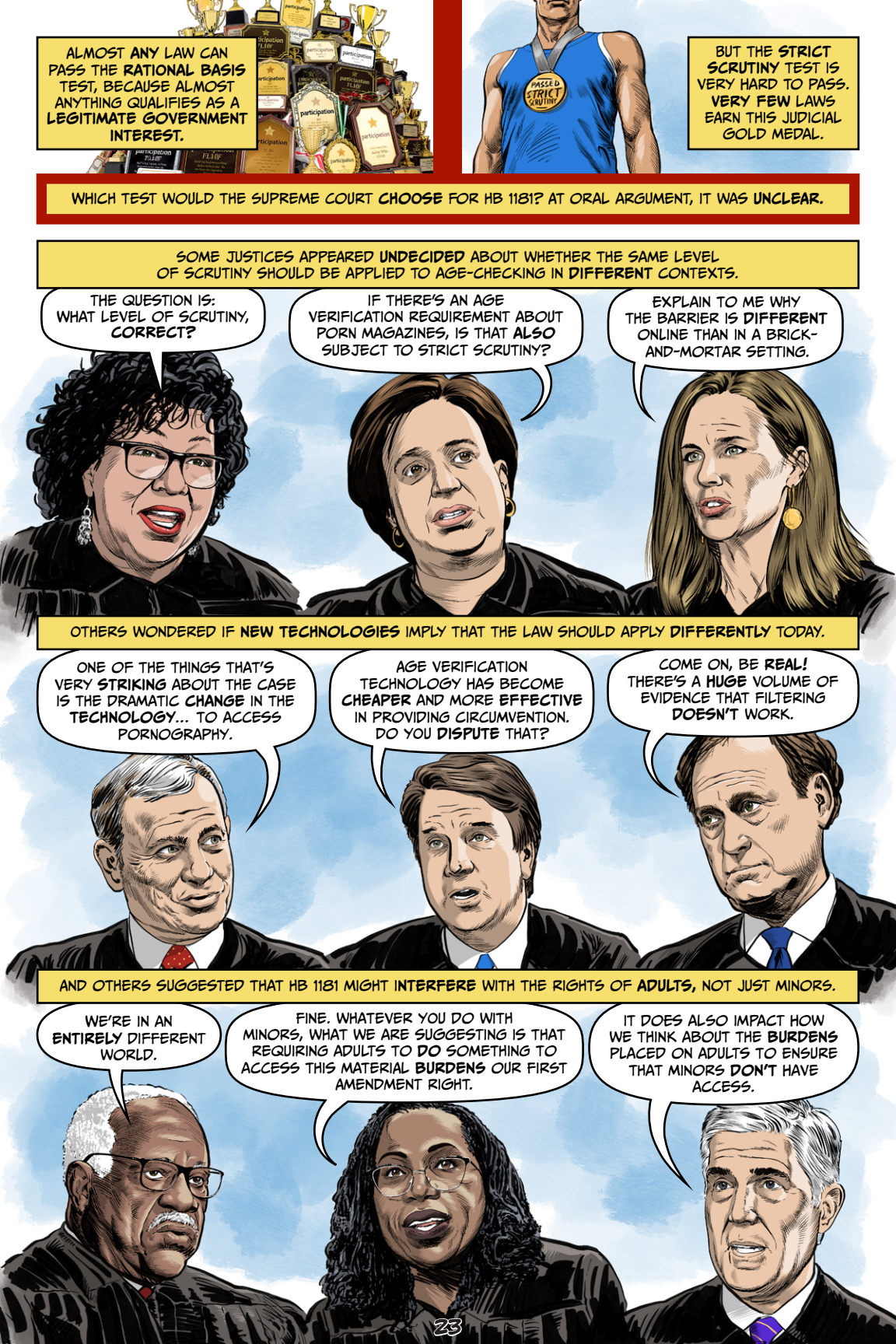
THE DISTRICT COURT SAW HB 1181 AS **RESTRICTING** ADULTS' ACCESS TO **CERTAIN KINDS** OF CONTENT. IT IS ESTABLISHED PRECEDENT THAT REGULATING SPEECH BASED ON ITS CONTENT **IMPINGES** ON A FUNDAMENTAL CONSTITUTIONAL RIGHT. AND **THAT** CALLS FOR **STRICT SCRUTINY...**

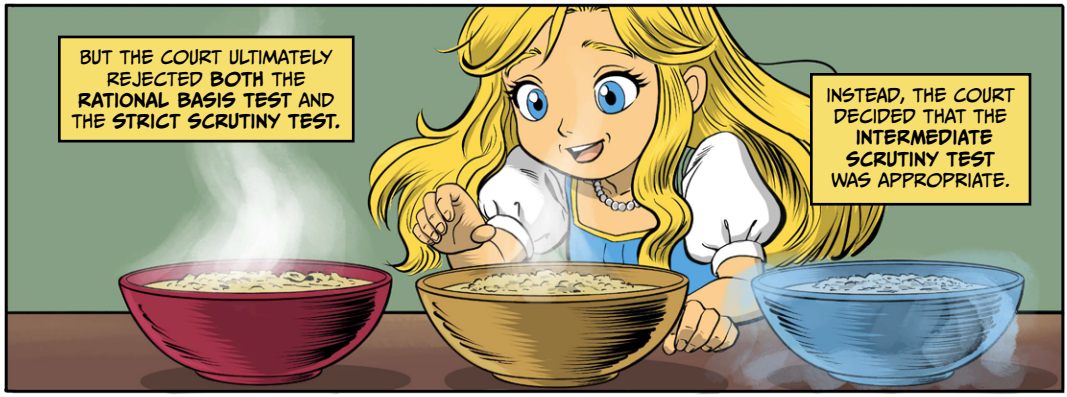
...SO IT DETERMINED THAT HB 1181 ONLY REGULATES SPEECH THAT GOES TO MINORS THAT IS **OBSCENE** FOR MINORS. PROTECTING MINORS IS A **LEGITIMATE** STATE INTEREST, SO THE STATUTE **PASSES** THE **RATIONAL BASIS** TEST. THUS, IT'S **GOOD LAW.**

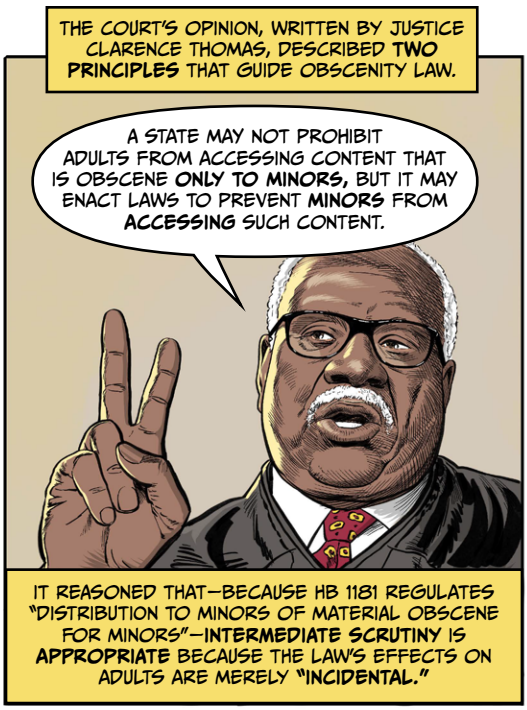


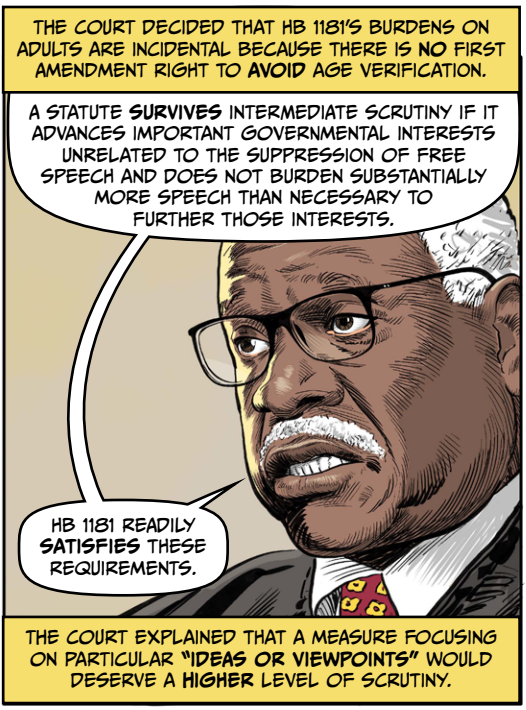
...SO IT DECIDED THAT THE STATUTE GOES **TOO FAR:** IT **HAMPERS** ADULT ACCESS TO PORNOGRAPHY, AND IT'S MUCH MORE RESTRICTIVE THAN (FOR INSTANCE) REQUIRING FILTERING SOFTWARE. HB 1181 THEREFORE **FAILS** TO PASS **STRICT SCRUTINY,** AND IS **UNCONSTITUTIONAL** AS A RESULT.

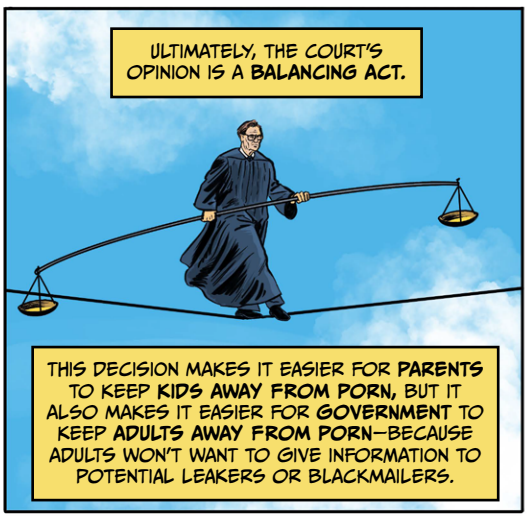



ALMOST ANY LAW CAN PASS THE RATIONAL BASIS TEST, BECAUSE ALMOST ANYTHING QUALIFIES AS A LEGITIMATE GOVERNMENT INTEREST.
BUT THE STRICT SCRUTINY TEST IS VERY HARD TO PASS. VERY FEW LAWS EARN THIS JUDICIAL GOLD MEDAL.
PASSED STRICT SCRUTINY
WHICH TEST WOULD THE SUPREME COURT CHOOSE FOR HB 1181? AT ORAL ARGUMENT, IT WAS UNCLEAR.
SOME JUSTICES APPEARED UNDECIDED ABOUT WHETHER THE SAME LEVEL OF SCRUTINY SHOULD BE APPLIED TO AGE-CHECKING IN DIFFERENT CONTEXTS.
THE QUESTION IS: WHAT LEVEL OF SCRUTINY, CORRECT?
IF THERE'S AN AGE VERIFICATION REQUIREMENT ABOUT PORN MAGAZINES, IS THAT ALSO SUBJECT TO STRICT SCRUTINY?
EXPLAIN TO ME WHY THE BARRIER IS DIFFERENT ONLINE THAN IN A BRICK-AND-MORTAR SETTING.
OTHERS WONDERED IF NEW TECHNOLOGIES IMPLY THAT THE LAW SHOULD APPLY DIFFERENTLY TODAY.
ONE OF THE THINGS THAT'S VERY STRIKING ABOUT THE CASE IS THE DRAMATIC CHANGE IN THE TECHNOLOGY... TO ACCESS PORNOGRAPHY.
AGE VERIFICATION TECHNOLOGY HAS BECOME CHEAPER AND MORE EFFECTIVE IN PROVIDING CIRCUMVENTION. DO YOU DISPUTE THAT?
COME ON, BE REAL! THERE'S A HUGE VOLUME OF EVIDENCE THAT FILTERING DOESN'T WORK.
AND OTHERS SUGGESTED THAT HB 1181 MIGHT INTERFERE WITH THE RIGHTS OF ADULTS, NOT JUST MINORS.
WE'RE IN AN ENTIRELY DIFFERENT WORLD.
FINE. WHATEVER YOU DO WITH MINORS, WHAT WE ARE SUGGESTING IS THAT REQUIRING ADULTS TO DO SOMETHING TO ACCESS THIS MATERIAL BURDENS OUR FIRST AMENDMENT RIGHT.
IT DOES ALSO IMPACT HOW WE THINK ABOUT THE BURDENS PLACED ON ADULTS TO ENSURE THAT MINORS DON'T HAVE ACCESS.


BUT THE COURT ULTIMATELY REJECTED **BOTH** THE **RATIONAL BASIS TEST** AND THE **STRICT SCRUTINY TEST.**
INSTEAD, THE COURT DECIDED THAT THE **INTERMEDIATE SCRUTINY TEST** WAS APPROPRIATE.


THE COURT'S OPINION, WRITTEN BY JUSTICE CLARENCE THOMAS, DESCRIBED **TWO PRINCIPLES** THAT GUIDE OBSCENITY LAW.
A STATE MAY NOT PROHIBIT ADULTS FROM ACCESSING CONTENT THAT IS OBSCENE **ONLY TO MINORS,** BUT IT MAY ENACT LAWS TO PREVENT **MINORS** FROM **ACCESSING** SUCH CONTENT.
IT REASONED THAT—BECAUSE HB 1181 REGULATES "DISTRIBUTION TO MINORS OF MATERIAL OBSCENE FOR MINORS"—**INTERMEDIATE SCRUTINY** IS **APPROPRIATE** BECAUSE THE LAW'S EFFECTS ON ADULTS ARE MERELY **"INCIDENTAL."**


THE COURT DECIDED THAT HB 1181'S BURDENS ON ADULTS ARE INCIDENTAL BECAUSE THERE IS **NO** FIRST AMENDMENT RIGHT TO **AVOID** AGE VERIFICATION.
A STATUTE **SURVIVES** INTERMEDIATE SCRUTINY IF IT ADVANCES IMPORTANT GOVERNMENTAL INTERESTS UNRELATED TO THE SUPPRESSION OF FREE SPEECH AND DOES NOT BURDEN SUBSTANTIALLY MORE SPEECH THAN NECESSARY TO FURTHER THOSE INTERESTS.
HB 1181 READILY **SATISFIES** THESE REQUIREMENTS.
THE COURT EXPLAINED THAT A MEASURE FOCUSING ON PARTICULAR **"IDEAS OR VIEWPOINTS"** WOULD DESERVE A **HIGHER** LEVEL OF SCRUTINY.

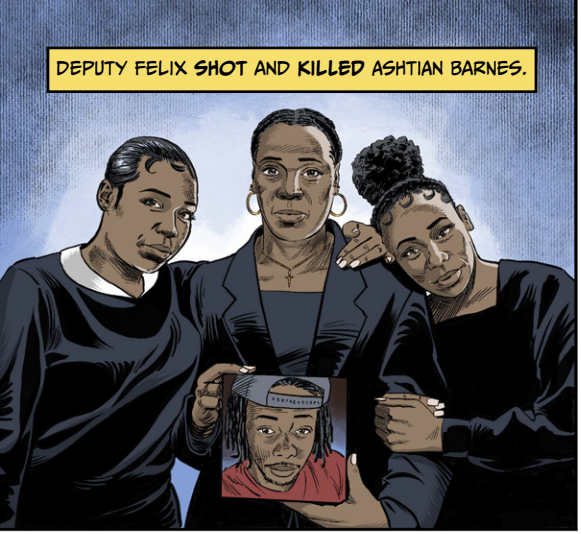

ULTIMATELY, THE COURT'S OPINION IS A **BALANCING ACT.**
THIS DECISION MAKES IT EASIER FOR **PARENTS** TO KEEP **KIDS AWAY FROM PORN,** BUT IT ALSO MAKES IT EASIER FOR **GOVERNMENT** TO KEEP **ADULTS AWAY FROM PORN**—BECAUSE ADULTS WON'T WANT TO GIVE INFORMATION TO POTENTIAL LEAKERS OR BLACKMAILERS.

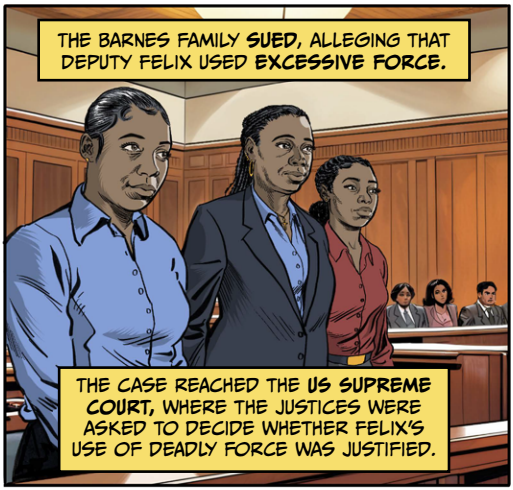

MAKING THE INTERNET **SAFE** FOR KIDS REMAINS AN **UPHILL BATTLE.**
Provide your name and legal verification before continuing.
Valid forms of identification include your driver's license, passport, or US Military ID.
ADULT **PRIVACY** COULD BECOME THE **FIRST CASUALTY.**

Barnes v. Felix

★ ★ ★ ★ ★ ★ ★

Mike Fox



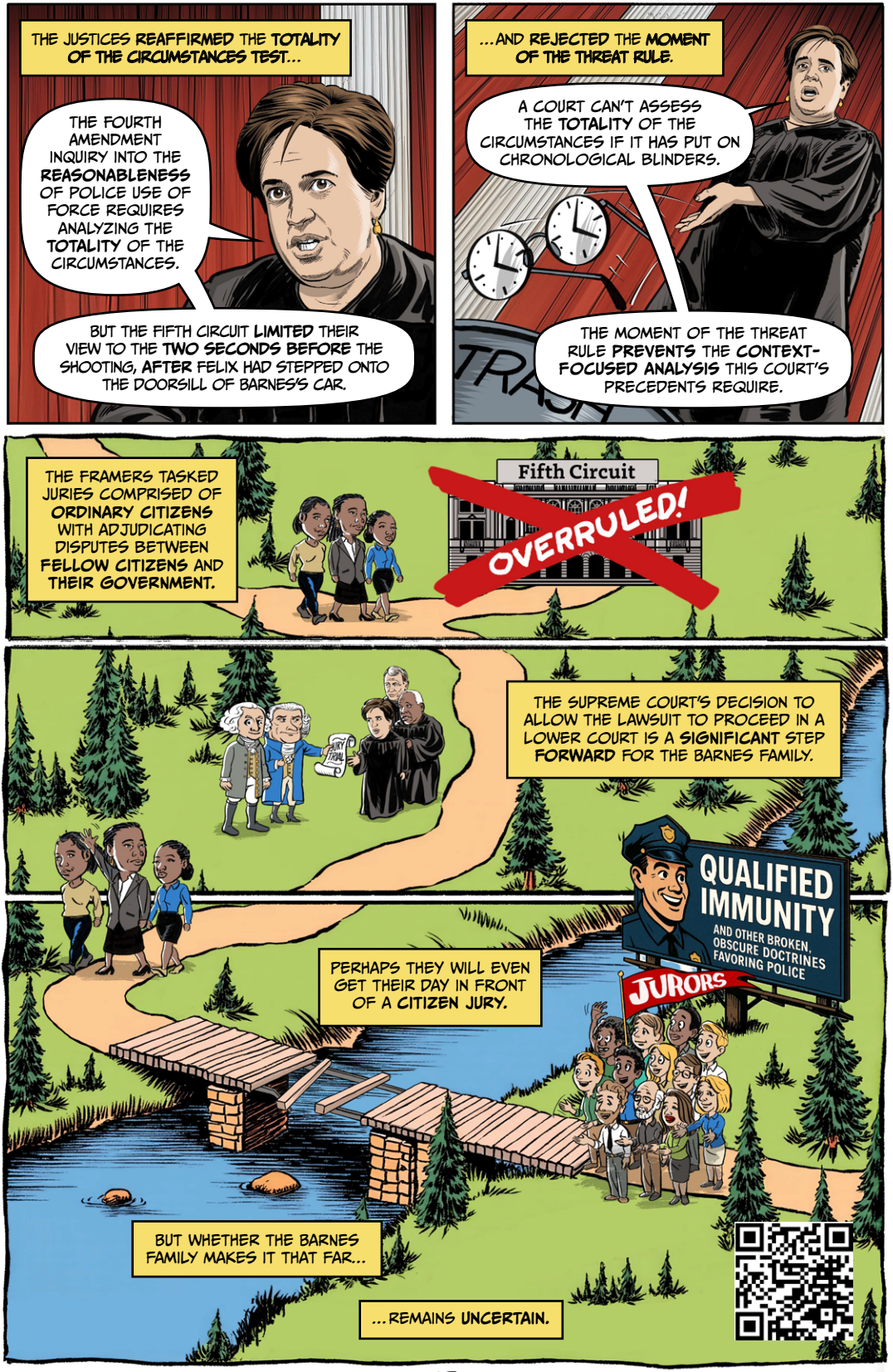


THE SPECIFIC QUESTION BEFORE THE COURT IS HOW TO ASSESS THE REASONABLENESS OF A POLICE OFFICER'S USE OF FORCE. SHOULD IT CONSIDER THE TOTALITY OF THE CIRCUMSTANCES, INCLUDING FACTORS SUCH AS...

THE SECOND, FOURTH, FIFTH, AND EIGHTH CIRCUITS APPLY THE SO-CALLED MOMENT OF THE THREAT RULE.

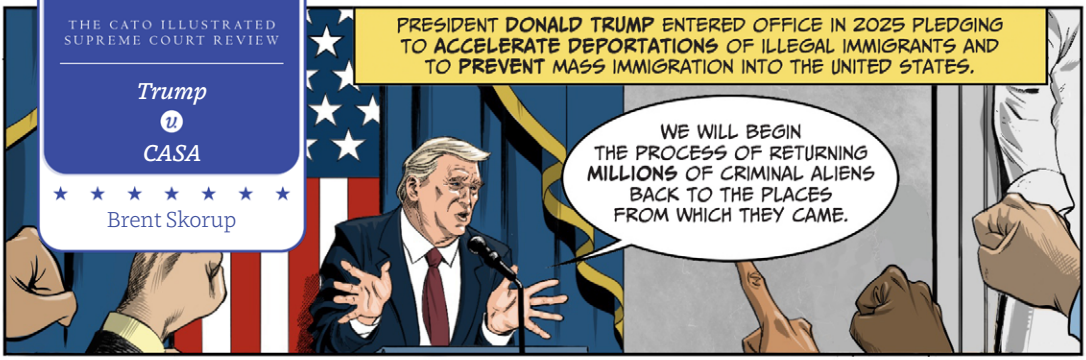
THIS TEST OFTEN FAVORS POLICE OFFICERS SINCE IT IGNORES HOW AN OFFICER'S EARLIER DECISIONS MAY HAVE CONTRIBUTED TO THE DANGER.

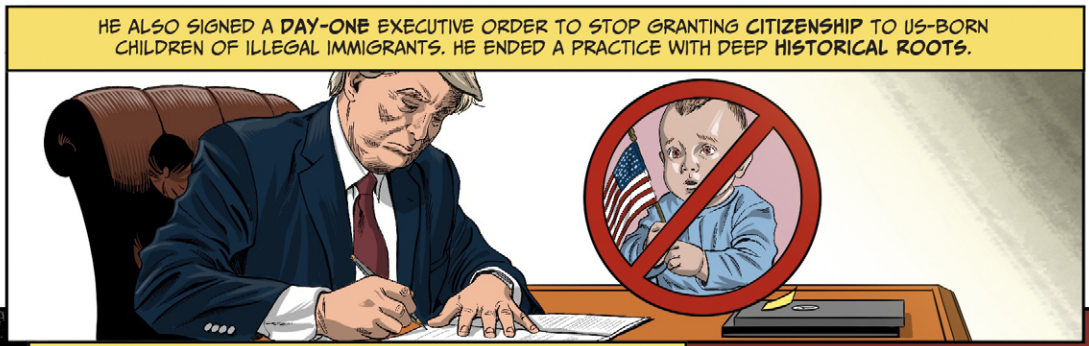
THE FIRST, THIRD, SIXTH, SEVENTH, NINTH, TENTH, ELEVENTH, AND DC CIRCUITS APPLY A TOTALITY OF THE CIRCUMSTANCES TEST.

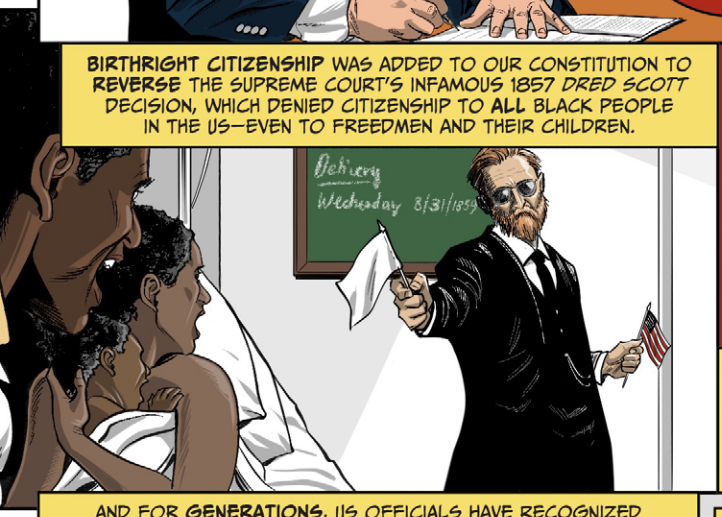

THE JUSTICES REAFFIRMED THE TOTALITY OF THE CIRCUMSTANCES TEST...
THE FOURTH AMENDMENT INQUIRY INTO THE REASONABLENESS OF POLICE USE OF FORCE REQUIRES ANALYZING THE TOTALITY OF THE CIRCUMSTANCES.
BUT THE FIFTH CIRCUIT LIMITED THEIR VIEW TO THE TWO SECONDS BEFORE THE SHOOTING, AFTER FELIX HAD STEPPED ONTO THE DOORSILL OF BARNES'S CAR.
...AND REJECTED THE MOMENT OF THE THREAT RULE.
A COURT CAN'T ASSESS THE TOTALITY OF THE CIRCUMSTANCES IF IT HAS PUT ON CHRONOLOGICAL BLINDERS.
THE MOMENT OF THE THREAT RULE PREVENTS THE CONTEXT-FOCUSED ANALYSIS THIS COURT'S PRECEDENTS REQUIRE.
THE FRAMERS TASKED JURIES COMPRISED OF ORDINARY CITIZENS WITH ADJUDICATING DISPUTES BETWEEN FELLOW CITIZENS AND THEIR GOVERNMENT.
Fifth Circuit
OVERRULED!
THE SUPREME COURT'S DECISION TO ALLOW THE LAWSUIT TO PROCEED IN A LOWER COURT IS A SIGNIFICANT STEP FORWARD FOR THE BARNES FAMILY.
QUALIFIED IMMUNITY
AND OTHER BROKEN, OBSCURE DOCTRINES FAVORING POLICE
JURORS
PERHAPS THEY WILL EVEN GET THEIR DAY IN FRONT OF A CITIZEN JURY.
BUT WHETHER THE BARNES FAMILY MAKES IT THAT FAR...
...REMAINS UNCERTAIN.

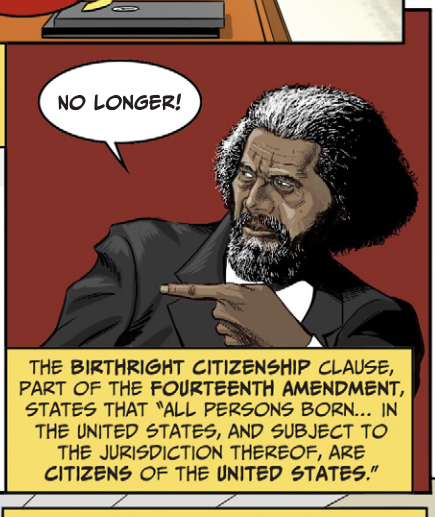
Trump v CASA

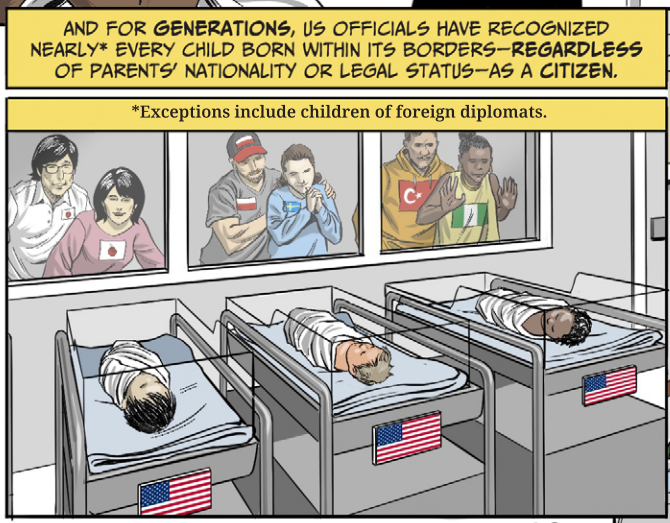
Brent Skorup

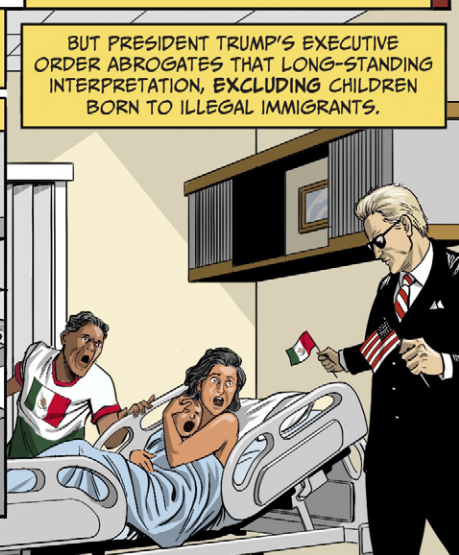




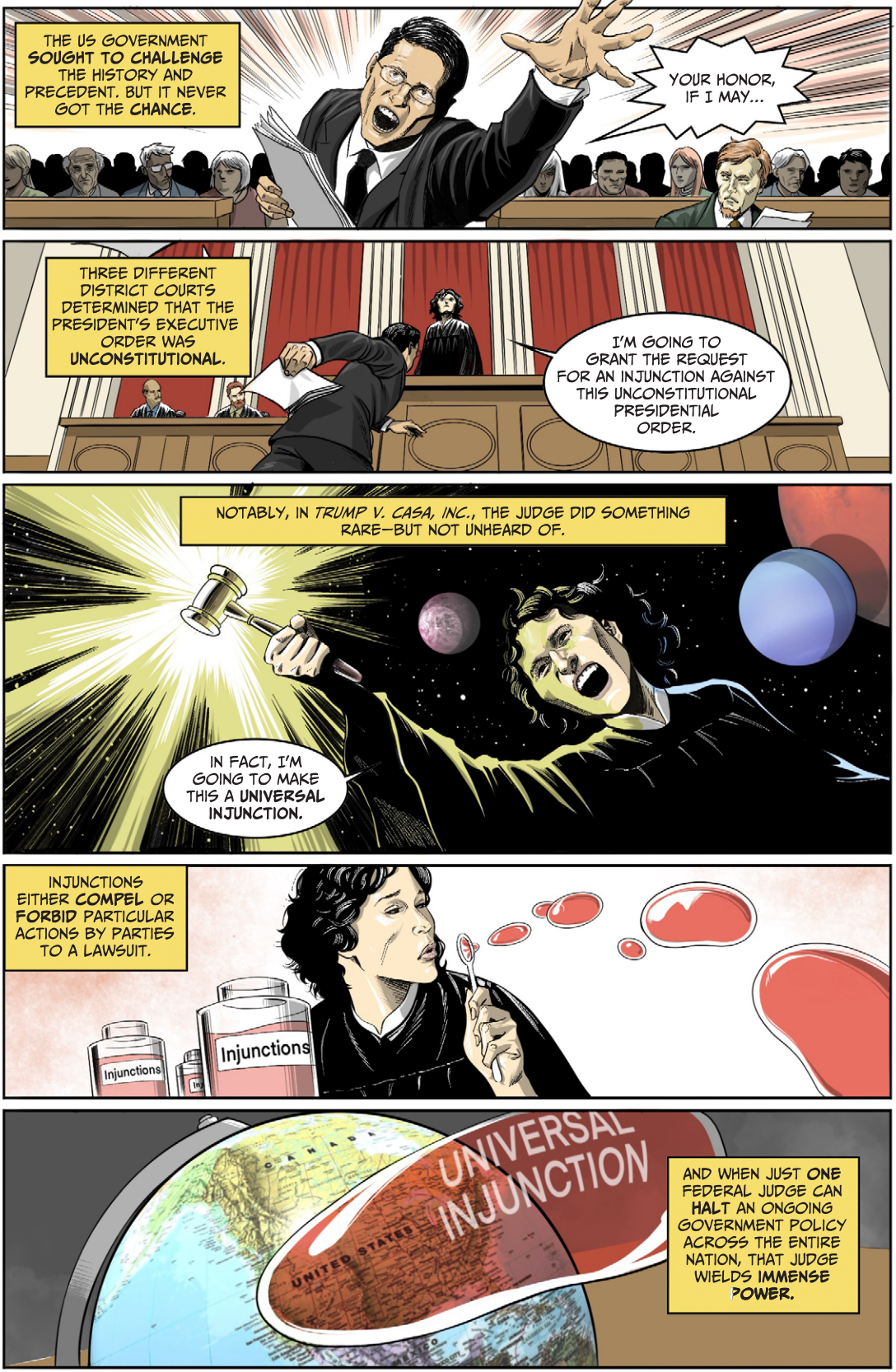


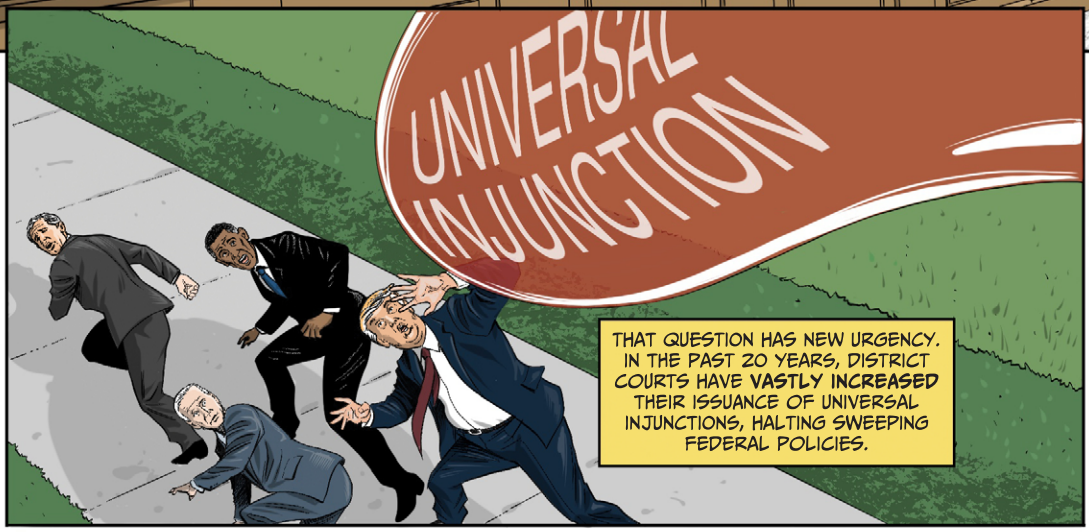




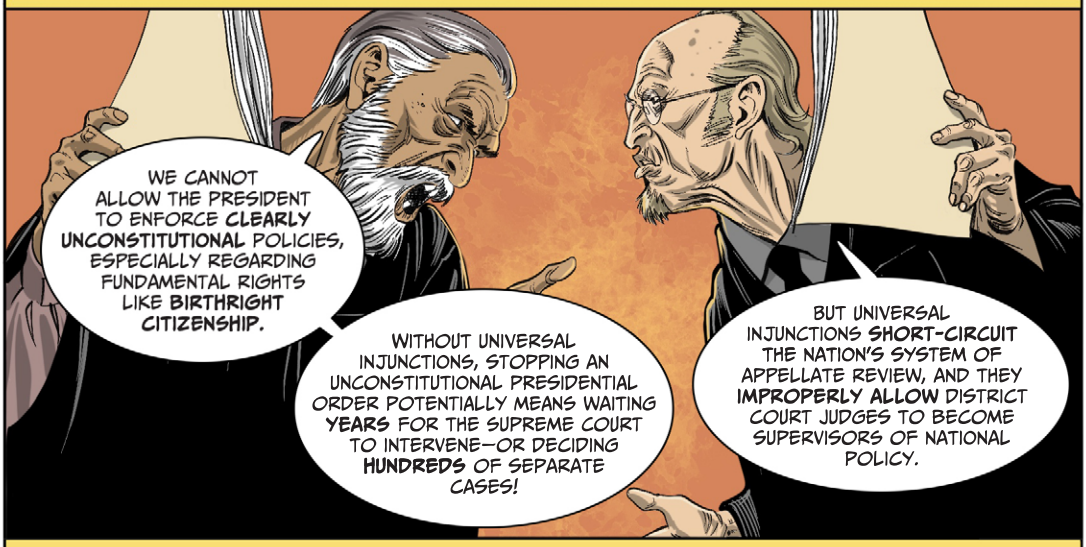



MULTIPLE LAWSUITS WERE FILED IMMEDIATELY.
IMMIGRATION LAWYER
ATTORNEYS FOR STATE GOVERNMENTS AND PREGNANT WOMEN RACED TO CHALLENGE THE ORDER...
Federal Courthouse
...CITING LIKELY HARMS.
SORRY, BUT YOUR BABY IS A NONCITIZEN AND CAN'T GET A SOCIAL SECURITY NUMBER...
...OR MEDICAID AND FOOD STAMPS.
...OR A PASSPORT.
IN SOME RARE CASES, THE ORDER WOULD RENDER A NEWBORN "STATELESS"— A CITIZEN OF NO COUNTRY.
JUST LOOK AT THIS PRECEDENT, YOUR HONOR.
14th Amendment
ABOVE ALL, THE CHALLENGERS HIGHLIGHTED BEFORE MANY JUDGES THE BREAK FROM LONG-STANDING INTERPRETATIONS OF THE FOURTEENTH AMENDMENT.

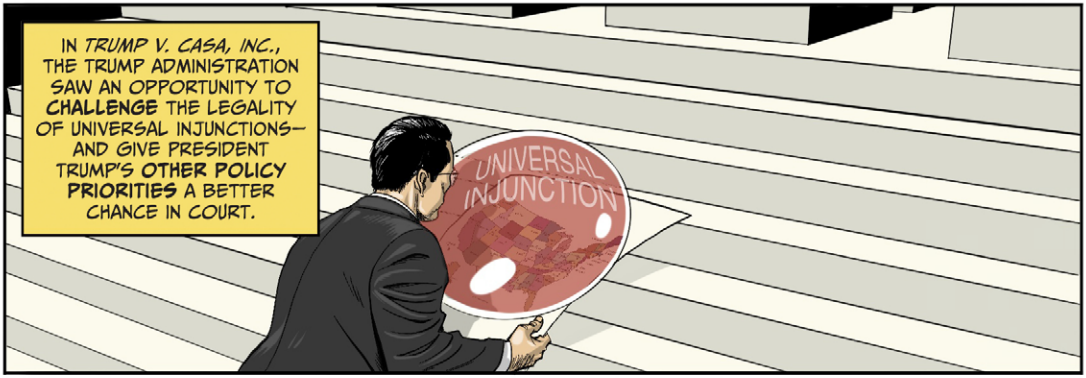

THE US GOVERNMENT SOUGHT TO CHALLENGE THE HISTORY AND PRECEDENT. BUT IT NEVER GOT THE CHANCE.
YOUR HONOR, IF I MAY...
THREE DIFFERENT DISTRICT COURTS DETERMINED THAT THE PRESIDENT'S EXECUTIVE ORDER WAS UNCONSTITUTIONAL.
I'M GOING TO GRANT THE REQUEST FOR AN INJUNCTION AGAINST THIS UNCONSTITUTIONAL PRESIDENTIAL ORDER.
NOTABLY, IN *TRUMP V. CASA, INC.*, THE JUDGE DID SOMETHING RARE—BUT NOT UNHEARD OF.
IN FACT, I'M GOING TO MAKE THIS A UNIVERSAL INJUNCTION.
INJUNCTIONS EITHER COMPEL OR FORBID PARTICULAR ACTIONS BY PARTIES TO A LAWSUIT.
Injunctions
Injunctions
CANADA
UNITED STATES
UNIVERSAL INJUNCTION
AND WHEN JUST ONE FEDERAL JUDGE CAN HALT AN ONGOING GOVERNMENT POLICY ACROSS THE ENTIRE NATION, THAT JUDGE WIELDS IMMENSE POWER.

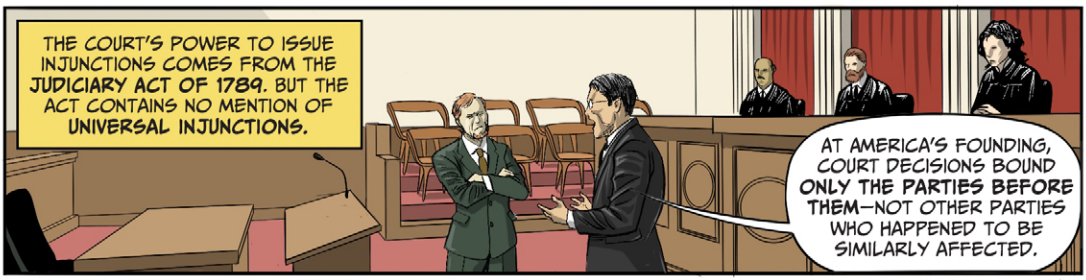


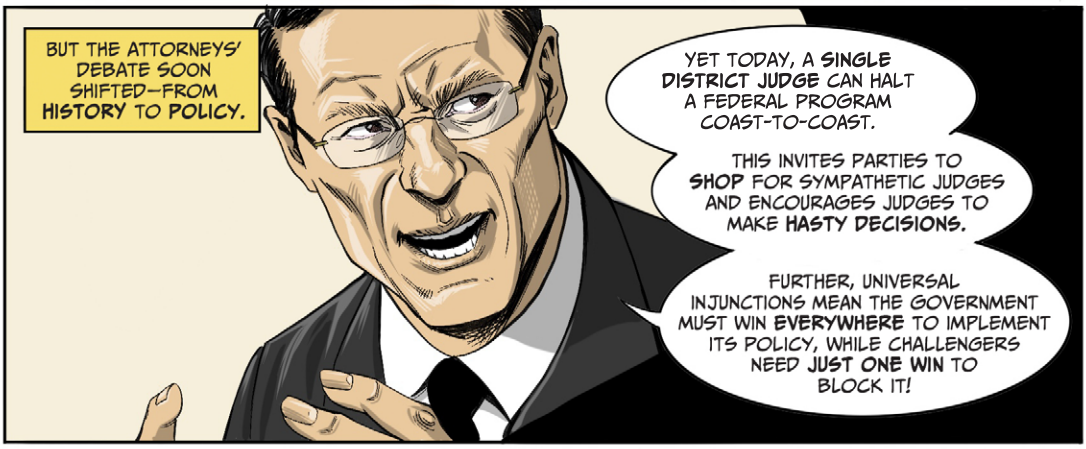
WHETHER UNIVERSAL INJUNCTIONS ARE PROPER HAS BECOME A BITTER DEBATE—EVEN AMONG JUDGES!

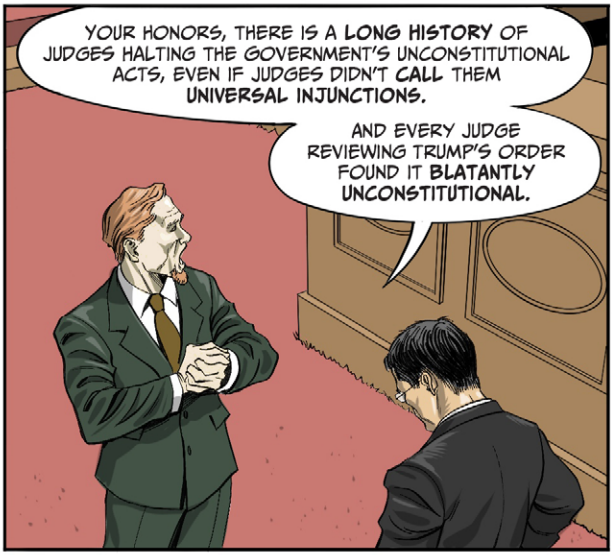


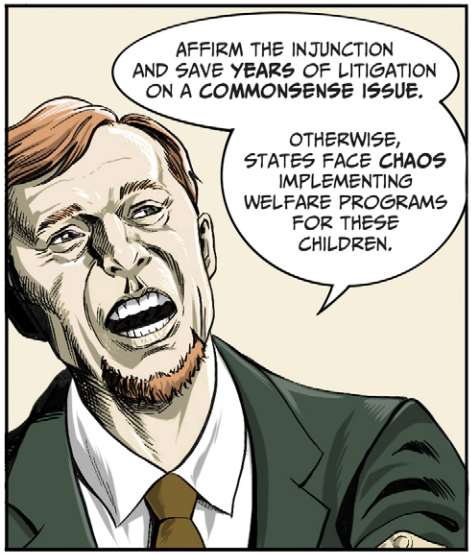
WHEN *TRUMP V. CASA, INC.* REACHES THE SUPREME COURT, IT IS A CASE LESS ABOUT THE POWERS OF THE PRESIDENT AND MORE ABOUT THE POWERS OF JUDGES.

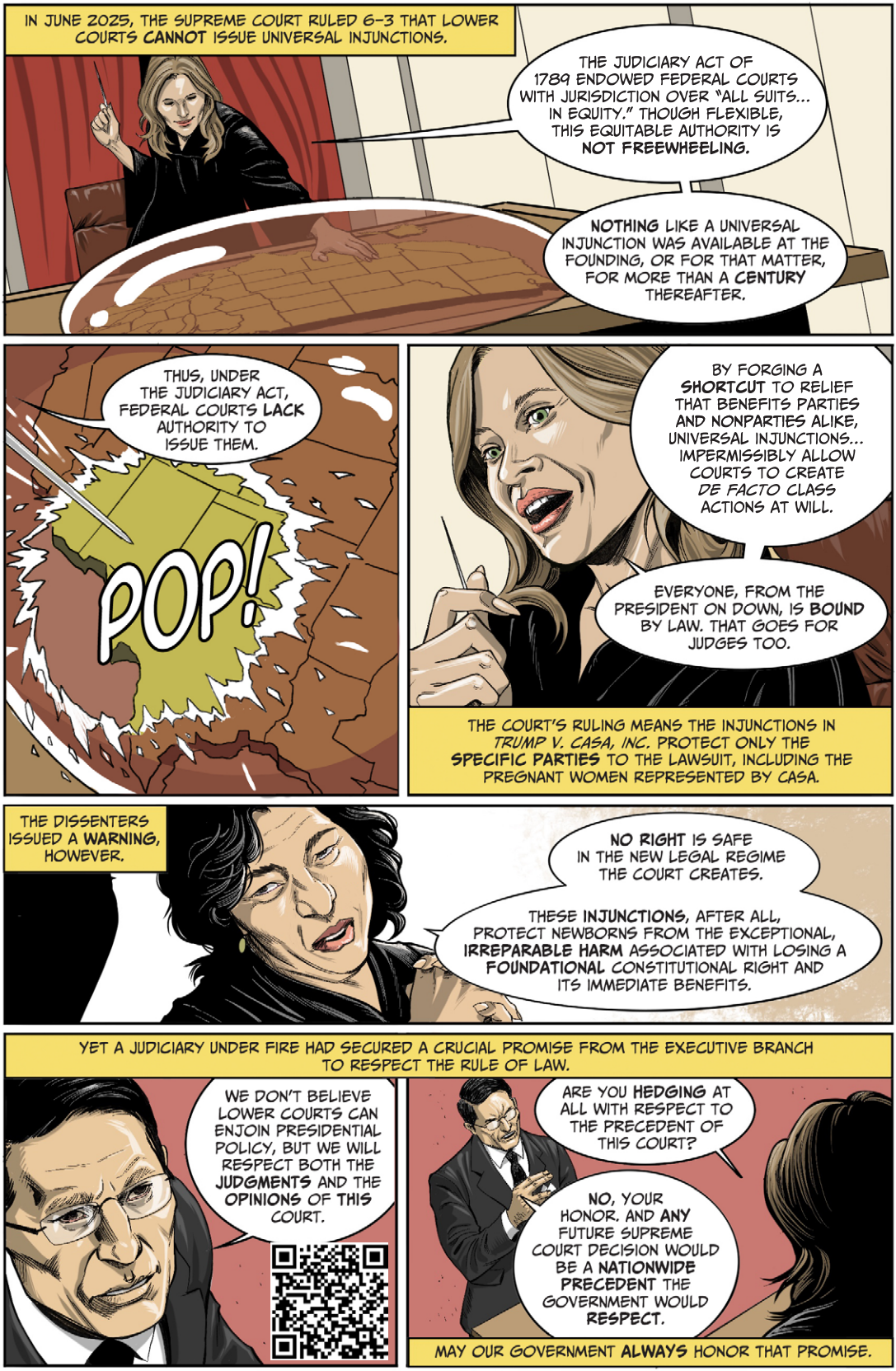

IN *TRUMP V. CASA, INC.*, THE TRUMP ADMINISTRATION SAW AN OPPORTUNITY TO **CHALLENGE** THE LEGALITY OF UNIVERSAL INJUNCTIONS—AND GIVE PRESIDENT TRUMP'S **OTHER POLICY PRIORITIES** A BETTER CHANCE IN COURT.
UNIVERSAL INJUNCTION


THE COURT'S POWER TO ISSUE INJUNCTIONS COMES FROM THE **JUDICIARY ACT OF 1789**. BUT THE ACT CONTAINS NO MENTION OF **UNIVERSAL INJUNCTIONS.**
AT AMERICA'S FOUNDING, COURT DECISIONS BOUND **ONLY THE PARTIES BEFORE THEM**—NOT OTHER PARTIES WHO HAPPENED TO BE SIMILARLY AFFECTED.


BUT THE ATTORNEYS' DEBATE SOON SHIFTED—FROM **HISTORY** TO **POLICY.**
YET TODAY, A **SINGLE DISTRICT JUDGE** CAN HALT A FEDERAL PROGRAM COAST-TO-COAST.
THIS INVITES PARTIES TO **SHOP** FOR SYMPATHETIC JUDGES AND ENCOURAGES JUDGES TO MAKE **HASTY DECISIONS.**
FURTHER, UNIVERSAL INJUNCTIONS MEAN THE GOVERNMENT MUST WIN **EVERYWHERE** TO IMPLEMENT ITS POLICY, WHILE CHALLENGERS NEED **JUST ONE WIN** TO BLOCK IT!


YOUR HONORS, THERE IS A **LONG HISTORY** OF JUDGES HALTING THE GOVERNMENT'S UNCONSTITUTIONAL ACTS, EVEN IF JUDGES DIDN'T **CALL** THEM **UNIVERSAL INJUNCTIONS.**
AND EVERY JUDGE REVIEWING TRUMP'S ORDER FOUND IT **BLATANTLY UNCONSTITUTIONAL.**


AFFIRM THE INJUNCTION AND SAVE **YEARS** OF LITIGATION ON A **COMMONSENSE ISSUE.**
OTHERWISE, STATES FACE **CHAOS** IMPLEMENTING WELFARE PROGRAMS FOR THESE CHILDREN.


IN JUNE 2025, THE SUPREME COURT RULED 6-3 THAT LOWER COURTS **CANNOT** ISSUE UNIVERSAL INJUNCTIONS.
THE JUDICIARY ACT OF 1789 ENDOWED FEDERAL COURTS WITH JURISDICTION OVER "ALL SUITS... IN EQUITY." THOUGH FLEXIBLE, THIS EQUITABLE AUTHORITY IS **NOT FREEWHEELING.**
NOTHING LIKE A UNIVERSAL INJUNCTION WAS AVAILABLE AT THE FOUNDING, OR FOR THAT MATTER, FOR MORE THAN A **CENTURY** THEREAFTER.
THUS, UNDER THE JUDICIARY ACT, FEDERAL COURTS **LACK** AUTHORITY TO ISSUE THEM.
POP!
BY FORGING A **SHORTCUT** TO RELIEF THAT BENEFITS PARTIES AND NONPARTIES ALIKE, UNIVERSAL INJUNCTIONS... IMPERMISSIBLY ALLOW COURTS TO CREATE *DE FACTO* CLASS ACTIONS AT WILL.
EVERYONE, FROM THE PRESIDENT ON DOWN, IS **BOUND** BY LAW. THAT GOES FOR JUDGES TOO.
THE COURT'S RULING MEANS THE INJUNCTIONS IN *TRUMP V. CASA, INC.* PROTECT ONLY THE **SPECIFIC PARTIES** TO THE LAWSUIT, INCLUDING THE PREGNANT WOMEN REPRESENTED BY CASA.
THE DISSENTERS ISSUED A **WARNING,** HOWEVER.
NO RIGHT IS SAFE IN THE NEW LEGAL REGIME THE COURT CREATES.
THESE **INJUNCTIONS,** AFTER ALL, PROTECT NEWBORNS FROM THE EXCEPTIONAL, **IRREPARABLE HARM** ASSOCIATED WITH LOSING A **FOUNDATIONAL** CONSTITUTIONAL RIGHT AND ITS IMMEDIATE BENEFITS.
YET A JUDICIARY UNDER FIRE HAD SECURED A CRUCIAL PROMISE FROM THE EXECUTIVE BRANCH TO RESPECT THE RULE OF LAW.
WE DON'T BELIEVE LOWER COURTS CAN ENJOIN PRESIDENTIAL POLICY, BUT WE WILL RESPECT BOTH THE **JUDGMENTS** AND THE **OPINIONS** OF **THIS** COURT.
ARE YOU **HEDGING** AT ALL WITH RESPECT TO THE PRECEDENT OF THIS COURT?
NO, YOUR HONOR. AND **ANY** FUTURE SUPREME COURT DECISION WOULD BE A **NATIONWIDE PRECEDENT** THE GOVERNMENT WOULD **RESPECT.**
MAY OUR GOVERNMENT **ALWAYS** HONOR THAT PROMISE.


TO BE CONTINUED... IN 2026!!

SCHOLAR BIOS

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Mike Fox is a legal fellow in the Cato Institute's Project on Criminal Justice. His areas of interest include overcriminalization, police accountability, and coercive plea bargaining.

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Ray Rieck is a Pennsylvania-based artist whose work has encompassed storyboards, comic books, and educational material. His art has appeared in *Negative Burn* and *The Annals of Internal Medicine*, and he has taught illustration at the Pennsylvania College of Art & Design. Ray is the primary illustrator behind the cases *FSC v. Paxton*, *TikTok v. Garland*, *Barnes v. Felix*, and *Perttu v. Richards* in this volume.

Eman Casallos is a freelance comic book artist from Joplin, Missouri. He has worked on comics for properties such as *Captain Planet*, *Pathfinder*, *Battlestar Galactica*, *Jennifer Blood*, and *Vampirella*. Eman is the primary illustrator behind the cases *Trump v. Casa*, *Martin v. United States*, and *St. Isidore v. Drummond* in this volume.

Ben Humeniuk is a cartoonist and educator from Houston, Texas, who has drawn and written comics including *Waking Life*, *The Magnificent Makers*, *Bro-D Can't Be Broken*, and *A Last Goodbye*. Ben has provided editorial consultation for the ISCR since 2024 and colored select pages in this volume.

ABOUT THE CATO INSTITUTE

THE CATO INSTITUTE WAS ESTABLISHED IN 1977 AS A NONPARTISAN PUBLIC POLICY RESEARCH FOUNDATION DEDICATED TO ADVANCING THE PRINCIPLES OF INDIVIDUAL LIBERTY, FREE MARKETS, AND LIMITED GOVERNMENT.

CATO'S ROBERT A. LEVY CENTER FOR CONSTITUTIONAL STUDIES WAS ESTABLISHED IN 1989 TO RESTORE THE PRINCIPLES OF CONSTITUTIONAL GOVERNMENT THAT ARE THE FOUNDATION OF LIBERTY. TOWARD THOSE ENDS, THE CENTER PUBLISHES BOOKS AND STUDIES, FILES AMICUS BRIEFS, CONDUCTS CONFERENCES, AND PRODUCES THE ANNUAL *CATO SUPREME COURT REVIEW.*

CATO'S PROJECT ON CRIMINAL JUSTICE WAS FOUNDED IN 1999 AND FOCUSES ON THE SCOPE OF SUBSTANTIVE CRIMINAL LIABILITY, THE PROPER AND EFFECTIVE ROLE OF POLICE IN THEIR COMMUNITIES, CONSTITUTIONAL AND STATUTORY SAFEGUARDS FOR SUSPECTS AND DEFENDANTS, CITIZEN PARTICIPATION IN THE JUSTICE SYSTEM, AND ACCOUNTABILITY FOR LAW ENFORCEMENT OFFICERS.

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DAN GREENBERG MIKE FOX

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