

Jordan Rivera chap 5 work

Habeas Corpus:

It means you are born with liberty, and if the government locks you up and detained you and takes away your liberty you are allowed to ask the court why you are locked up or detained.

Constitutional Test

Courts supply a number of test such as the strict scrutiny test, the rational basis test and the intermediate scrutiny test and the lemon test, all of these test are meant to answer one simple question: Is the law constitutional or not?

Different test are for the different types of government activity. All the test are different.

The rational basis test only ask whether a law is rationally related to a government purpose. Most times the government finds the law to be constitutional through this test, But the strict scrutiny test comes with more challenges for the government. It's required the government to prove that its law was necessary to achieve a compelling government interest, The law has to be the least restrictive way to achieve the purpose. When a judge uses strict scrutiny most times the law is unconstitutional

What rights do prisoners have?

Being a convicted prisoners means that you lose certain conditional freedoms, but not everything. They have freedom of speech, but they have to pass the turner test.

Although prisoners do not have the right to privacy they are still allowed limited and monitored phone calls and even relationships. They are allowed the right to worship their religion.

Due Process

There are other rights to make sure prisoners are treated in human ways. In regards to privacy, guards are allowed to search a prisoners space and belongings when ever they want without a search warrant, there are still some rules with it. Searches can't be used as a form of punishment or to harass inmates. There needs to be a valid reason behind a search.

Prisoners have a right to health care and guards are not allowed to ignore a prisoners right to health care.