

# Rights of the Criminally Accused: Attorneys, Trials, and Punishments

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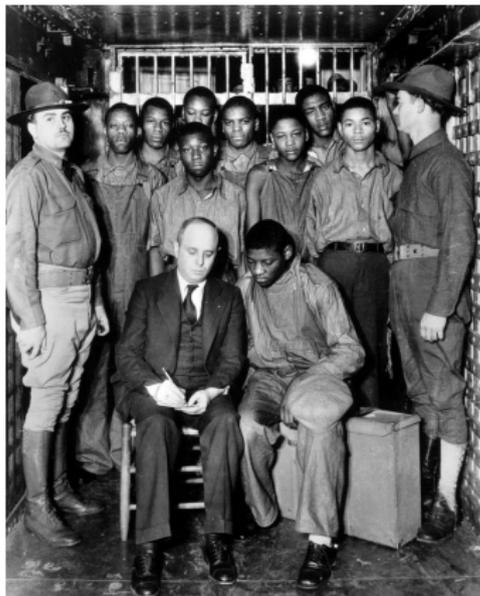
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# Amendment VI

- “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed. . . and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.”

# Rights to counsel

- *Powell v. Alabama* (1932)
- *Gideon v. Wainwright* (1963)
- *Ross v. Moffitt* (1974)



- Speedy trials: *Barker v. Wingo* (1972)
- Jurors: *Batson v. Kentucky* (1986)
- Public trials: *Sheppard v. Maxwell* (1966)



James Batson and his mother

# Trial proceedings

- *Maryland v. Craig* (1990)
- *Crawford v. Washington* (2004)
- *Melendez-Diaz v. Massachusetts* (2009)



# Sentencing

- *United States v. Booker* (2005)
- *Kimbrough v. United States* (2007)



# Amendment VIII

- “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

# What constitutes “cruel” or “unusual” punishment?

- *Solem v. Helm* (1983)
- *Ewing v. California* (2003)
- *Graham v. Florida* (2010)



# Capital punishment

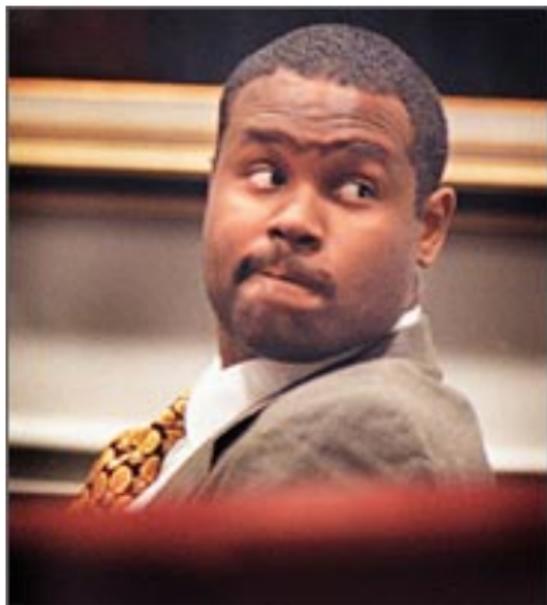
- *Trop v. Dulles* (1958)
- *Furman v. Georgia* (1972)
- *Gregg v. Georgia* (1976)



William Furman

# Limits on capital punishment

- *Atkins v. Virginia* (2002)
- *Roper v. Simmons* (2005)
- *Kennedy v. Louisiana* (2005)



Daryl Atkins

# Failures in the push for abolition

- *McCleskey v. Kemp* (1987)
- *Baze v. Rees* (2008)
- *Glossip v. Gross* (2015)



Richard Glossip

# Double jeopardy

- *Ashe v. Swenson* (1970)
- *Heath v. Alabama* (1985)
- *United States v. \$405,089.23* (1996)
- *Kansas v. Hendricks* (1997)



Leroy Hendricks