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## IMPORTANT CASES THIS WEEK



*United States v. Zubaydah*



*Silverman v. United States*



*Kennedy v. Louisiana*

## United States v. Zubaydah

### Limits on invoking state-secrets privilege.



Photo from BBC

Zubaydah, an associate of Osama bin Laden, alleged that he was held in a "dark site" in Poland where CIA agents used "enhanced interrogation techniques" against him.

Zubaydah got involved with another Polish criminal case regarding the CIA's actions and attempted to get some of his case details disclosed. The Court ultimately ruled that, since a reasonable danger of harm to national security would occur if those details of Zubaydah's case were declassified, the 9th Circuit Court of Appeals erred in revoking the state-secret privilege over the information. Read the full decision [here](#).

## Silverman v. United States

### Limiting Fourth Amendment protections.

Police had reason to believe the defendant's property was being used as the headquarters for a gambling operation. In order to investigate, the officers, with permission from the owner, used a vacant property adjacent to the alleged operation. The officers put a "spike mike" into the heating duct and eavesdropped on the neighboring property. The defendants attempted to suppress this evidence, but the motion was denied, and they were convicted. SCOTUS overruled and held that the officer's use of the "spike mike" violated the Fourth Amendment as it characterized an unauthorized physical intrusion into the home - an entity protected by the Fourth Amendment. Read the full decision [here](#).

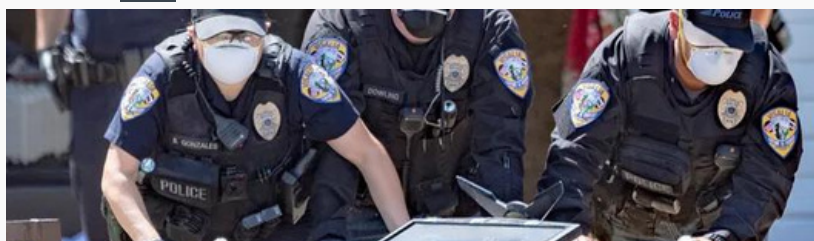


Photo from Visalia Times Delta

## Kennedy v. Louisiana

### The national consensus for capital punishment.

Kennedy was convicted of raping his eight-year-old stepdaughter and was sentenced to death in Louisiana. He argued that the death penalty was not a suitable punishment for raping a child under 12 years of age. The Court ultimately held that the Louisiana statute and Kennedy's conviction were in violation of the Eighth Amendment as Kennedy did not kill the child, nor did he intend to assist another individual in killing the child. Further, after considering relevant data, the Court held that there was a national consensus against capital punishment for child rape. Read the full decision [here](#).



Photo from The Swaddle