

# Civil Liberties: What's At Stake



**Your individual rights**, which are protected by our Constitution and laws depend on having Supreme Court Justices who will uphold those rights. Your vote on Election Day '08 will help determine the future of civil liberties for decades to come.

When Americans vote for a President and Senators this November, they'll be electing the people who will decide who gets a lifetime seat on the Supreme Court if there are any vacancies. It is likely that the President elected this fall will get to nominate one or more justices — and Senators will vote on whether to confirm them.

## **Here's why preservation of our civil liberties depends on the Court:**

- » The right-wing justices fell short in two crucial cases concerning the Bush administration's detainee policies, but now they appear to be within one vote of overturning those decisions and undermining the rule of law. In two closely-divided decisions, the Court ruled that the right of habeas corpus extends to Guantanamo detainees, and that Guantanamo military tribunals violate federal law. The right-wing Justices are one vote away from striking down limitations on the president's powers and granting the president maximum latitude.
- » In a 5-4 decision in 2006, the Court undermined the constitutional requirement that police knock, announce their presence, and wait before entering a residence by allowing evidence obtained following a violation of this requirement to be admitted in court. Other remedies for a violation of this requirement already existed, but the Court undercut a very powerful incentive — exclusion of evidence — for police to comply with it.
- » Justice Scalia has stated that most of the rights we enjoy “go way beyond what the Constitution requires” and has chillingly suggested that in wartime, the protection of our rights can be “ratcheted right down to the constitutional minimum.” The right-wing Justices have consistently sought to expand the powers of the President and “ratchet down” the rights and liberties of everyone else.

Right now, four Supreme Court Justices — Chief Justice Roberts and Justices Alito, Scalia, and Thomas — share a right-wing ideology that threatens the civil liberties that all Americans enjoy. Conservative Justice Kennedy has voted with them often.

That's why it's so important that the next President nominates — and Senators confirm — only Justices who are committed to upholding the rights guaranteed by our Constitution and laws.

The addition of any more Justices who aren't committed to our rights could undo many of the civil liberties protections that the Court has enforced in the past.

***We can't let that happen. Help us save the Supreme Court on election day.***

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