Studies In The Police Power Of The National Government

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Intro

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Introduction

Why is federalism still important

Why have we had so many constitutional amendments that weaken federalism

Why did the founders decide on a federalism system

The danger of a distant federal government

The Commerce Clause

The Supreme Court

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Reading the Constitution

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Introduction

Key Points

Core Missions

Counting

Federal Agencies

State Agencies

Local Agencies

Police Departments

Staff vs Line

Traditional Approach

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Key Aspects of Civil Forfeiture Law

Standard of Proof

Financial Incentive

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At the national level, it is imperative that states comply with international standards. These standards, however, often provide only the minimum safeguards and it is thus preferable that states provide a higher level of protection, i.e. by making available resources for a higher enjoyment of certain socio-economic rights.

Police Power Police power is the right to protect the country and its population from threats to the public health and safety. The term "police power" predates the development of organized police forces, which did not develop until the postcolonial period. In the colonial period, police power was used to control nuisances, such as tanneries that fouled the air and water in towns, to prevent the sale of bad food, and to quarantine persons who were infected with communicable diseases. Many of the colonies had active boards of health to administer the nolice power. This was one of the main governmental functions the colonial period

As currently in use both in Philippine and American decisions then, police power legislation usually has reference to regulatory measures restraining either the rights to property or liberty of private individuals. It is undeniable however that one of its earliest definitions, valid then as well as now, given by Marshall's successor, Chief Justice Taney does not limit its scope to curtailment of rights whether of liberty or property of private individuals.

Importance of Human Rights to Law Enforcement "In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons." States Article 2 of the United Nations Human Rights Office of the High Commissioner's Code of Conduct for Law Enforcement Officials of 1979.

Law enforcement, often seen as the mediator between legal structure and social conditions, has been under fire internationally on the basis of not fulfilling its mandate to protect. Instances like racially motivated police brutality in the United States or police brutality in the forcible removal of Palestinians from their property have sparked international civilian outrage against law forcement

What happens when the system put in place to ensure the protection of their inalienable rights, instead violates them? Theodore Roosevelt captures this dilemma, concisely stating "Order without liberty and liberty without order are equally destructive." But what is the importance of human rights to law enforcement? This presentation aims to discuss whether human rights and law enforcement are ricately linked and if so, under what conditions?

The United Nations Professional Training Series No.5 highlights the problems of the myth within law enforcement training: the insistence on "bending the rules" to ensure the law is upheld. From forcibly ending demonstrations to removing individuals from their property to torturing detainees, law enforcement without human rights taken into consideration is lethal to the realization of a world with inalienable human

... LAW ENFORCEMENT, OFFICIALS • All governments, ...

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AMERICAN GOVERNMENT

MODEL OF AMERICAN

BILL OF RIGHTS LISTS THINGS THAT A GOVERNMENT MAY NOT DO!

STATE RATIFYING CONVENTIONS SUGGESTED AMENDMENTS FOR INCLUSION IN A BILL OF RIGHTS

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." United States Constitution, Amendment 10 (1788)

WHAT AMENDMENT DID EVERY STATE SUGGEST? •FREEDOM SPEECH •NO CRUEL PUNISH-MENTS .RIGHT TO BEAR ARMS •POWERS NOT DELEGATED ARE RETAINED

UNIT 03, LESSON 07: MADISON'S SOLUTION

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