

John: Hi, I'm John Ross from the Institute for Justice's Center for Judicial Engagement. And together with my co-producer Anya Bidwell, I am extremely excited to announce that very soon we're going to begin releasing Season 2 of Bound By Oath. On this season, we'll explore the maze of legal doctrines that protect government officials from being sued when they violate the Constitution. Just like in Season 1, the episodes will be a mix of the stories of real-life Americans and interviews with litigators and scholars. We'll explore the state of the law today and how things came to be. Namely, how it came to pass that courts so often refuse to hold abusive officials accountable and refuse to enforce the Constitution.

Prof. Pfander: The courts don't feel that they can say, yes, and therefore an award of damages is appropriate for the victims of that governmental conduct. That is, I think, the fundamental change in the model of adjudication today when compared to the 19th century.

John: How law enforcement can beat up an innocent person and five years later, the victim's lawsuit against the officers still hasn't, and may never, go to trial.

Bystander: Oh my god they're pounding him in the head! They're going to kill this man.

John: Why it's hard to sue over inhumane conditions in jail.

Judge Martin: There was vomit and excrement and urine and on and on, on the floors of the cell where he had to walk barefoot.

John: Why it's so hard to sue cities and other jurisdictions that tolerate officers who abuse their authority.

Mike Laux: Josh Hastings has been an officer for five years and this guy has got a rap sheet that is longer than probably most of the criminals he encountered. It was truly a smorgasbord of police policy violations. I mean this guy ran the gamut.

John: And how, with just a handful of exceptions, nearly every right in the Bill of Rights has been rendered unenforceable against federal officials.

Frank Robbins: It was 12 years of pure hell to be honest with you.

John: We'll look at historic cases.

Donald Moore: And as the Deputy Chief of Detectives would ask these questions of Mr. Monroe, he was striking or punching this flashlight into the stomach of the naked man while his children and his wife looked on.

John: And we'll tackle the history of the most famous civil rights law of all time, Section 1983, which forms the basis for many of the cases we'll be talking about, and which began life as one of the provisions of the Civil Rights Act of 1871. Also known as the Ku Klux Klan Act.

Prof. Achtenberg: This was anti-terrorist legislation. Where the agents of terror -- the Klan and similar organizations in the South -- had overwhelmed the civil authorities, the military could be used and habeas corpus could be suspended and martial law could be imposed. That was radical stuff.

John: All this we promise and much more. So I hope you will join us for Season 2 of Bound By Oath. We have some stories to tell.