

John: Hello, this is John Ross from the Institute for Justice's Center for Judicial Engagement. And I am pleased to announce that next month, we will begin releasing Season 3 of Bound By Oath, a podcast on legal history, civil rights, and the Supreme Court. This season, we'll focus on property rights.

Maine's lawyer: The Fourth Amendment does not protect property rights. **Justice Blackmun:** Do you really believe that? **Maine's lawyer:** Yes, I do. **Justice Blackmun:** Of course, the Court said it.

John: If you take just a glance at the Bill of Rights, you'll see protections for property just about everywhere. The right to be secure against unreasonable searches and seizures.

Justice Marshall: A police officer can go on anybody's land at any time under any circumstances?

John: The right not be deprived of your property without a fair process. The right not to be deprived of an excessive amount of your property, disproportionate to the gravity of an offense.

Justice Breyer: Why? Is there any reason why a person who is totally innocent should be punished for a criminal offense by having to give up the property that he or she owns?

John: The right not to have your property taken without just compensation – and even then only on the condition that the taking be for a public use.

Scott Bullock: The city took our clients' homes and transferred them to a private developer for private gain, putting poor and working class neighborhoods at risk. And the Supreme Court said, astonishingly, that that was a taking for public use.

John: Today, constitutional limits on the government's power to take property, to regulate property, and even to blow up property are often, in practice, difficult to enforce or difficult to even understand.

Gideon Kanner: We all looked at each other and said, what the hell does it mean? The Court was groping in a fog.

John: If you'll recall the end of last season, we implored people who are interested in civil rights to take a look at state constitutions, which can have better protections than the federal Constitution against arbitrary, predatory, or otherwise outrageous conduct.

Margaret Brady: State courts and state constitutions can provide many varied and interesting options for litigants.

John: This season, we'll prove as good as our word.

Sam Gedge: Thank you Chief Justice, and may it please the Court. Article 1, Section 20 secures a right that predates Indiana itself. **Josh Windham:** Article 1, Section 8 of the Pennsylvania Constitution. **Lawyer for Tennessee:** [I]t violates their rights under Article 1, Section 7 of the Tennessee Constitution. **Erica Smith Ewing:** Article 1, Sections 2 and 13 of the Idaho Constitution. **Joe Gay:** Article 1, Section 10 of the Virginia Constitution.

John: All this we promise and much more. There will be SWAT raids and an unsolved murder. Bulldozers and hippies. There will be a few big wins for the little guy. And we'll get a little philosophical: Is all property rooted in theft? Or conquest? So I hope you will join us for Season 3 of Bound By Oath. We have some stories to tell.