

924. *Rice v. Cayetano*, 528 U.S. 495 (2000).

A provision of the Hawaii Constitution restricting the right to vote for trustees of the Office of Hawaiian Affairs to persons who are descendants of people inhabiting the Hawaiian Islands in 1778 is a race-based voting qualification that violates the Fifteenth Amendment. Ancestry can be—and in this case is—a proxy for race.

Justices concurring: Kennedy, Rehnquist, C.J., O'Connor, Scalia, Thomas

Justices concurring specially: Breyer, Souter

Justices dissenting: Stevens, Ginsburg

925. *Carmell v. Texas*, 529 U.S. 513 (2000).

A Texas law that eliminated a requirement that the testimony of a sexual assault victim age 14 or older must be corroborated by two other witnesses violates the Ex Post Facto Clause of Art. I, § 10 as applied to a crime committed while the earlier law was in effect. So applied, the law falls into the category of an *ex post facto* law that requires less evidence in order to convict. Under the old law, the petitioner could have been convicted only if the victim's testimony had been corroborated by two witnesses, while under the amended law the petitioner was convicted on the victim's testimony alone.

Justices concurring: Stevens, Scalia, Souter, Thomas, Breyer

Justices dissenting: Ginsburg, Rehnquist, C.J., O'Connor, Kennedy

926. *Troxel v. Granville*, 530 U.S. 57 (2000).

A Washington State law allowing "any person" to petition a court "at any time" to obtain visitation rights whenever visitation "may serve the best interests" of a child is unconstitutional as applied to an order requiring a parent to allow her child's grandparents more extensive visitation than the parent wished. Because no deference was accorded to the parent's wishes, the parent's due process liberty interest in making decisions concerning her child's care, custody, and control was violated.

Justices concurring: O'Connor, Rehnquist, C.J., Ginsburg, Breyer

Justices concurring specially: Souter, Thomas

Justices dissenting: Stevens, Scalia, Kennedy

927. *Apprendi v. New Jersey*, 530 U.S. 466 (2000).

A New Jersey "hate crime" statute that allows a judge to extend a sentence upon finding by a preponderance of the evidence that the defendant, in committing a crime for which he has been found guilty, acted with a purpose to intimidate because of race, violates the Fourteenth Amendment's Due Process Clause and the Sixth Amendment's requirements of speedy and public trial by an impartial jury. Any fact