

Court Says Using Chalk On Tires For Parking Enforcement Violates Constitution

The next time parking enforcement officers use chalk to mark your tires, they might be acting unconstitutionally.

A federal appeals court ruled Monday that "chalking" is a violation of the Fourth Amendment.

The case was brought by Alison Taylor, a Michigan woman whom the court describes as a "frequent recipient of parking tickets." The city of Saginaw, Mich., like countless other cities around the country, uses chalk to mark the tires of cars to enforce time limits on parking.

By the time Taylor received her 15th citation in just a few years, she decided to go after the city — and specifically after parking enforcement officer Tabitha Hoskins.

Hoskins, Taylor alleged in her lawsuit, was a "prolific" chalker. Every single one of Taylor's 15 tickets was issued by Hoskins after she marked a tire with chalk, and then circled back to see if Taylor's car had moved. That chalking, Taylor argued, was unconstitutional.

"Trespassing upon a privately-owned vehicle parked on a public street to place a chalk mark to begin gathering information to ultimately impose a government sanction is unconstitutional under the Fourth Amendment," Taylor's lawyer, Philip Ellison, wrote in a court filing.

Where is the Supreme Court going on abortion

Returning to an abortion rights issue that it had decided earlier but with a bench that is now changed, the Supreme Court agreed on Friday to hear new appeals on states' power to limit the activities of doctors who terminate women's pregnancies. The case of *Gee v. June Medical Services* has the potential to bring about a major shift in the scope of abortion rights, but how far the coming ruling may actually go is not clear at the outset.

Although the issue of the Court's view of the basic constitutional right to abortion first recognized 46 years ago is not directly being contested in the two new cases, the Court always has the option of reconsidering a constitutional declaration.

Short of that, it has several options to follow in reaching a final decision sometime next year, probably late in the Court term that formally opens on Monday. When it rules, that would mark the first time the two Justices who most recently joined the Court — Neil M. Gorsuch and Brett M. Kavanaugh — had taken part in a final ruling by the Court on the constitutional right to abortion.

Chester Alan Arthur: Obscure or underrated

If you are a presidential historian or a fan of facial hair, you probably know a little about Chester Alan Arthur. For the rest of us, he's one of the more obscure leaders in American history.

Arthur was born on October 5, 1829 in Fairfield, Vermont. (In later years there were claims, never proven, that Arthur was born across the border in Canada, which would have threatened his eligibility to serve as President.)

Today, Arthur is best remembered for his classic set of bushy sideburns, his devotion to the patronage system and his replacement of the assassinated James Garfield. The official brief White House description of his one term as President is about as obscure as can be written: "The son of a Baptist preacher who had emigrated from northern Ireland, Chester A. Arthur was America's 21st President (1881-85), succeeding President James Garfield upon his assassination."

Among historians, Arthur is considered to be short on both pedigree and achievements in Washington. The most recent poll of historians about Presidents, from the Siena College Research Institute in 2018, ranked him in 34th place out of 44 Presidents, which is consistent with other recent polls.

When Supreme Court Justices Have Disagreed About the American flag

Should Americans be forced to pledge allegiance to the American flag or be allowed to deface the flag as a sign of protest? What does the Constitution say about it? These issues and more concerning the flag have been a hotly debated topic among Supreme Court Justices since the World War II era.

At least five Supreme Court decisions since then have dealt with American flag-related issues. The first two cases about the Pledge of Allegiance to the flag presented a case at the Court, with the Justices deciding one case one way, and then three years later, reversing their own decision. A third case in the 1970s overturned a Massachusetts law banning the wearing of a small flag on a pair of jeans. And two controversial cases in 1989 and 1990 resulted in decisions allowing protesters to burn the American flag under certain circumstances, as a right protected by the First Amendment.

The opinions in these decisions reveal that Justices considered "liberal" and "conservative" have fallen on different sides of the flag question. For example, Justice John Paul Stevens, widely considered a liberal justice, strongly condemned the Court's 1989 decision to allow flag burning in the *Texas v. Johnson* case, joining with other conservative justices including Chief Justice William Rehnquist.

And although he didn't write an opinion in that case, Justice Antonin Scalia voted with the majority of the Justices to permit flag burning. In a 2012 CNN interview, Scalia explained why. "If I were king, I would not allow people to go around burning the

American flag. However, we have a First Amendment, which says that the right of free speech shall not be abridged—and it is addressed in particular to speech critical of the government. That was the main kind of speech that tyrants would seek to suppress.”