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Articles

PERJURY! — THE CHARGES AND THE DEFENSES

Richard H. Underwood

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Perjury is the most hotly debated topic in America today. In this witty and instructive article, the author explains what constitutes the crime of perjury, provides examples of how defendants have sometimes avoided conviction, and discusses the impact of federal and state statutes on prosecutors, defendants, witnesses, the judiciary, the legislature, and society.

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The Supreme Court of the United States' 5-4 decision in *St. Mary's Honor Center v. Hicks* has created uncertainty and confusion for both courts and parties involved in age discrimination cases. The Court noted in its decision that if Congress was displeased with the result, "[it] remains free to alter what we have done." In this article, the author strongly urges Congress to accept the Court's invitation and enact legislation to force courts to abandon the *St. Mary's* approach, which has effectively rewarded discriminatory practices by employers.

PRIVATE ENFORCEMENT OF THE SOCIAL CONTRACT: *DESHANEY* AND THE SECOND AMENDMENT RIGHT TO OWN FIREARMS

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CONSTITUTIONAL LAW — CRIMINAL PROCEDURE — FOURTH AMENDMENT — ORDERING PASSENGERS OUT OF VEHICLE DURING TRAFFIC STOP — The Supreme Court of the United States held that a police officer who orders passengers to exit a vehicle until completion of a traffic stop does not violate the Fourth Amendment to the United States Constitution because the public interest in the safety of law enforcement personal outweighs an individual's right to be free from arbitrary interference.

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CONSTITUTIONAL LAW — CRIMINAL PROCEDURE — FOURTH AMENDMENT — "KNOCK AND ANNOUNCE" RULE — The Supreme Court of the United States held that the common law "knock and announce" rule was an indispensable component of the Fourth Amendment's "reasonableness" requirement, and therefore, should not be subject to a per se blanket exception.

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