

CASE	DATE	Bill of Rights	Outcome	Comment
Barron v. Baltimore	1833	1st to 8th — entire BoR	- - - declined - - -	BOR do not apply against the states — period! (14th amendment fixed this, sorta)
Mapp v. OH	1961	4th (exclusion)	4TH INCORP'D (total)	exclusionary rule was first approved in *fed* cases in Weeks (1914)
Wolf v. CO	1949	4th (search)	DP/4th INCOR (partial)	"essential component of ordered liberty", but note Palko '37 (5th wasn't "implicit")
Benton v. Maryland	1969	5th (double-j)	5th/INCORP'D	
Palko	1937	5th (double-j)	- - - declined - - -	rt to silence not "implicit in the concept of ordered liberty"
Brown v. LA	1936	5th (DP/coerced statement)	DP/ff	beaten confession was inherently unreliable, and inherently unfair
Lisenba	1941	5th (DP/coerced statement)	- - - declined - - -	short of beating, did not deprive D of ff essential to the very concept of justice"
Hurtado	1884	5th (indict)	- - - declined - - -	"so rooted in the traditions and conscience of our people as to be ranked fundamental"
Twining v. NJ	1908	5th (silence)	- - - declined - - -	case by case
Adamson	1947	5th (silence)	- - - declined - - -	Black says fund/fairness too subjective a test
Malloy v. Hogan	1964	5th (silence)	5th/INCORP'D	
Miranda v. AZ	1967	5th (silence)	5th/INCORP'D (maybe)	just a remedy, not in constitution
Dickerson	2000	5th (silence)	5th/INCORP'D (definitely?)	Miranda remedy is constitutional rule
Betts v. Brady	1942	6th (free counsel)	- - - declined - - -	"offensive to the common and fundamental ideas of fairness"
Powell v. AL	1932	6th (counsel)	DP/ff	Scotsboro Cases
Gideon v. Wainwright	1963	6th (assistance of counsel)	6th/INCORP'D (> 6mos jail)	
Maxwell	1900	6th (jury of 12)	- - - declined - - -	
Duncan	1968	6th (jury trial)	6th/INCORP'D	
Apodaca v. OR	1972	6th (unanimity)	6th/INCORP'D (partial)	so, fed requires 12 unanimous, states can go 6 (??!!)
Washington v. TX	1967	compulsory process	6th/INCORP'D	
Robinson v. CA	1962	cruel & unusual	8th/INCORP'D	but no decision yet on "fines" (but 1971 dicta says incorporated)
Griswold v. CT	1965	dispensing birth control	?? /INCORP'D	"penumbra"
Moore v. Dempsey	1923	DP — mob-dominated trial NOT OK	5th DP/ff	
Tumy v. OH	1927	DP — judge paid only if guilty	5th DP/ff	(my personal favorite)
Money v. Holohan	1935	DP — knowing use of perjury	5th DP/ff	
In re Oliver	1948	DP — public trial	6th/INCOPR'D	secret trial is "menace to liberty" (with unexpected contemporary relevance)
Rochin	1952	DP — stomach pump	5th DP/ff	"shocks the conscience"
Klopfer v. NC	1967	DP — speedy trial	6th/INCORP'D	
Apprendi v. NJ	2000	DP — sentence exceeded max	5th DP/ff (?)	if fact effects max, then treat as an element

Plus a slew of protections not remotely springing from the text of the Bill of Rights... (giving us "Selective Incorporation Plus")

lineups, showups, police practices, intentional destruction of evidence,  
 delay at charging, prosecutorial vindictiveness, reciprocal discovery, indigent experts,  
 Brady production of exculpatory evidence, denial of time to file motions, minimum info before plea (but not Brady evidence),  
 factual basis for plea, pressures for plea, breaking plea, relief if plea broken by state,  
 unbiased judge, jury untainted by publicity, D's presence, prejudicial physical setting,  
 excluding or restraining D, rt to testify, competency to stand trial, proof beyond r/d,  
 r/d standard in instructions, presumptions, shifting of BoP in some statutes,  
 knowing false testimony, closing misconduct, driving a witness off the stand, carnival atmosphere, etc etc.