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Privacy Protections in State Constitutions

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Congress and the states have enacted laws to protect individuals' privacy in various specific areas, such as medical and financial records, and courts have determined a right to privacy in certain areas. State constitutions provide another source of protection. Constitutions in ten states--Alaska, Arizona, California, Florida, Hawaii, Illinois, Louisiana, Montana, South Carolina, and Washington--*expressly* recognize a right to privacy. In other states, court decisions have established constitutional rights of privacy.

Alaska	art. I, § 22	The right of the people to privacy is recognized and shall not be infringed. The legislature shall implement this section.
Arizona	art. II, § 8	No person shall be disturbed in his private affairs, or his home invaded, without authority of law.
California	art. I, § 1	All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.
Florida	art. I, § 12	<p>Searches and Seizures</p> <p>The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated. No warrant shall be issued except upon probable cause, supported by affidavit, particularly describing the place or places to be searched, the person or persons, thing or things to be seized, the communication to be intercepted, and the nature of evidence to be obtained. This right shall be construed in conformity with the 4th Amendment to the United States Constitution, as interpreted by the United States Supreme Court. Articles or information obtained in violation of this right shall not be admissible in evidence if such articles or information would be inadmissible under decisions of the United States Supreme Court construing the 4th Amendment to the United States Constitution.</p> <p>Right to Privacy</p> <p>Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein. This section shall not be construed to limit the public's right of access to public records and meetings as provided by law.</p>
Hawaii	art. I, §§ 6 & 7	<p>Section 6: Right To Privacy</p> <p>The right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest. The legislature shall take affirmative steps to implement this right. [Add Const Con 1978 and election Nov 7, 1978]</p> <p>Section 7: Searches, Seizures and Invasion of Privacy</p> <p>The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches, seizures and invasions of privacy shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized or the communications sought to be intercepted. [Am Const Con 1968 and election Nov 5, 1968; ren and am Const Con 1978 and election Nov 7, 1978]</p>
Illinois	art. I, §§ 6 & 12	<p>Section 6. Searches, Seizures, Privacy and Interceptions</p> <p>The people shall have the right to be secure in their persons, houses, papers and other possessions against unreasonable searches, seizures, invasions of privacy or interceptions of communications by eavesdropping devices or other means. No warrant shall issue without probable cause, supported by affidavit particularly describing the place</p>

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probable cause, supported by affidavit particularly describing the place to be searched and the persons or things to be seized.

Section 12. Right To Remedy and Justice

Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property or reputation. He shall obtain justice by law, freely, completely, and promptly.

Louisiana	art. I, § 5	Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court.
Montana	art. II, § 10	The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.
South Carolina	art. I, § 10	The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, the person or thing to be seized, and the information to be obtained.
Washington	art. I, § 7	Invasion of Private Affairs or Home Prohibited No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

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