

***Schenck v. United States* / Diagram of How the Case Moved Through the Court System**

Supreme Court of the United States

On March 3, 1919, in a unanimous decision, the Court found that some speech does not merit constitutional protection. If statements “create a clear and present danger” of producing a harm that Congress is authorized to prevent, that speech falls in that category of unprotected speech.

Schenck v. United States (1919)



District Court of the United States for the Eastern District of Pennsylvania

On September 9, 1918, Schenck was convicted of violating the Espionage Act of 1917 and sentenced to six months in prison. He appealed the decision to the Supreme Court of the United States.

Schenck v. United States (1918)