

## Case Overview: *Shapiro v. Thompson*, 394 U.S. 618 (1969)

**Decided:** April 21, 1969

**Vote:** 6–3 Majority

**Majority Opinion by:** Justice Brennan

**Concurring Justices:** Douglas, White, Harlan (concurring in part), Marshall

**Dissenting Justices:** Warren, Black, Harlan (in part)

**Legal Topics:** Equal Protection Clause, Right to Travel, Welfare Benefits, Residency Requirements

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## Facts of the Case

*Shapiro v. Thompson* arose from the denial of welfare assistance to individuals solely because they had not lived in a particular state or district for at least one year. Specifically, the case consolidated three different challenges from Connecticut, Pennsylvania, and the District of Columbia, all involving mothers who had moved into those jurisdictions and were denied **Aid to Families with Dependent Children (AFDC)** benefits on the basis of not meeting the required residency period.

The named plaintiff, **Vivian Marie Thompson**, had moved from Massachusetts to Connecticut and applied for public assistance shortly after her arrival. Her application was denied due to a Connecticut statute that required a **one-year residency** before someone could be eligible for welfare benefits. Similarly restrictive statutes existed in the other jurisdictions as well.

Thompson and others challenged these laws as unconstitutional, arguing that they violated the **Equal Protection Clause of the Fourteenth Amendment** and unduly burdened the **constitutional right to travel** between states.

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## Legal Issues Presented

The Supreme Court was asked to determine:

1. Whether a **durational residency requirement** for public assistance benefits violates the **Equal Protection Clause** of the Fourteenth Amendment.
  2. Whether the requirement unconstitutionally infringes on the **constitutional right to travel**.
  3. Whether the state had a **compelling interest** justifying the classification imposed by the residency rule.
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## Supreme Court's Holding and Reasoning

In a **6–3 decision**, the U.S. Supreme Court ruled that the one-year residency requirement for welfare assistance was **unconstitutional** because it **penalized the right to travel**, which is a **fundamental constitutional right**. The Court applied **strict scrutiny** because the law impinged on a fundamental right, requiring the government to show a **compelling state interest**.

Justice **William J. Brennan**, writing for the majority, emphasized the following key points:

1. **Right to Travel is Fundamental:** The Court reaffirmed that the Constitution protects a fundamental right to travel freely from state to state. Any state law that penalizes this right is constitutionally suspect.
2. **Residency Requirement is a Penalty:** Denying public assistance to new residents effectively penalizes people for exercising their right to move to another state. The Court held that such denial placed a "**penalty on the exercise of a constitutional right.**"
3. **No Compelling Interest:** The states argued that the requirement was necessary to **preserve the fiscal integrity** of their welfare programs and to **discourage welfare fraud** or **benefit-shopping**. However, the Court found that none of these interests rose to the level of a "compelling state interest" required to justify the infringement on the right to travel.
4. **Equal Protection Violation:** The Court ruled that the law created an **invidious classification** between residents who had lived in the state for over a year and those who had not. Such classification failed to meet the strict scrutiny standard under the **Equal Protection Clause**.

As a result, the Court **struck down** the durational residency requirements in all three jurisdictions.

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## Impact and Legal Significance

**Shapiro v. Thompson** became a landmark ruling in several ways:

1. **Affirmed the Right to Travel:** This case firmly established the right to interstate travel as a fundamental constitutional right protected under the **Privileges and Immunities Clause** and implicitly through the **Equal Protection Clause**. Although the Constitution does not explicitly mention the right to travel, the Court treated it as a fundamental aspect of liberty.
2. **Durational Residency Laws under Scrutiny:** The decision set a precedent that any durational residency requirement tied to the receipt of state benefits would face **strict judicial scrutiny**. After Shapiro, many state and local laws imposing residency requirements for public benefits, voting, or other services were invalidated or revised.
3. **Expanded Equal Protection Doctrine:** The case signaled an evolving understanding of the Equal Protection Clause, applying it to issues not just of racial or gender-based classification but also to economic rights when fundamental liberties are burdened.
4. **Influenced Subsequent Jurisprudence:** The Court would revisit similar themes in later cases, such as **Memorial Hospital v. Maricopa County (1974)** and **Saenz v. Roe (1999)**, which further strengthened the doctrine that the right to travel and establish residence is constitutionally protected.

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## Key Takeaways

- A **one-year residency requirement** for public welfare benefits was found **unconstitutional** because it penalized the **fundamental right to travel**.
- **Strict scrutiny** applies when a law burdens a fundamental right.

- The **Equal Protection Clause** was used to strike down economic classifications when tied to fundamental liberty.
- The case strengthened judicial protection against laws that condition state benefits on recent migration or mobility.
- It remains one of the clearest affirmations of the **constitutional right to freedom of movement** across U.S. states.

**Case File:** <https://supreme.justia.com/cases/federal/us/394/618/>