

What Does The Bill of Rights of Mean?

In the first column, write what you and your group-mates believe that each amendment means in your OWN WORDS! In the second, write questions that you and your group-mates have about each amendment. You may include more than one question!

| What Does the Bill of Rights Mean? | What questions do we have about the Bill of Rights? |
|------------------------------------|---|
| Amendment 1: | |
| Amendment 2: | |
| Amendment 3: | |
| Amendment 4: | |
| Amendment 5: | |
| Amendment 6: | |
| Amendment 7: | |
| Amendment 8: | |
| Amendment 9: | |
| Amendment 10: | |

USING THE BILL OF RIGHTS

Directions: Read and discuss your assigned scenario below. Along with your group members, refer to the Bill of Rights to identify which protection(s) and amendment(s) are called into question. Then address the constitutional issue in the second question.

SCENARIO 1

Mary inherited a parcel of land on the outskirts of an Iowa town that has been in her family for generations. Even though her family has never utilized the land, she now wishes to build, along with her brothers, a small family restaurant on the inherited land. Mary applies for a building permit, and finds out that the Iowa legislature recently passed a law preventing further construction on land designated as “protected wetlands.” Her land, it turns out, is now designated as “protected wetlands,” and she is denied a building permit for any future building on the property.

What protection(s) and amendment(s) are involved?

Should the State of Iowa pay Mary for the inability to use her land?

SCENARIO 2

The student body of Lakewood High School, a public school, took a vote. By a vast majority, they voted to conduct a student-led prayer over the public address system of their football stadium before the kick-off of each home game. They elected Paul, the student-body president, to conduct the non-denominational prayer. Jane, an atheist, objected. She was neither required to participate, nor punished for

refusing. Nonetheless, Jane believes the public prayer itself to be unconstitutional.

What protection(s) and amendment(s) are involved?

Should the students of Lakewood High School be allowed to vote on a prayer to be read publicly at games?

SCENARIO 3

Benny has been found guilty of a heinous crime: attacking and killing his boss in a fit of rage. In the sentencing phase of his trial, Benny’s lawyers produced two psychologists who testified to the fact that Benny was, in fact, mentally retarded. Benny’s lawyers and psychologists argued that the jury should not be allowed to assign the death penalty as punishment for Benny’s crimes. It was quite probable, the psychologists testified, that Benny did not fully understand the outcome of his actions, and while this fact does not absolve him of punishment, he should not be put to death.

What protection(s) and amendment(s) are involved?

Should the jury be allowed to assign the death penalty as punishment for Benny's crime?

SCENARIO 4

Kate and Jim were ardent followers of the Amish faith, and, following Amish doctrine, did not wish to enroll their children in school beyond the 8th grade. Their state legislature, however, had passed a law requiring all children to attend school until age 16. Such a law, Kate and Jim believed, violated the duties required of them as an Amish family, and they refused to comply with the law. The state prosecuted and punished Kate and Jim for violating the law and refusing to send their children to school.

What protection(s) and amendment(s) are involved?

Should Kate and Jim be prosecuted for refusing to send their children to school?

SCENARIO 5

Darren was arrested on suspicion of kidnapping and rape. He was taken to the police station, where the victim picked Darren out of a lineup. An officer pointed to a woman in the police station and asked if she was the victim. Darren told them, "Yeah, that's her." The police then took him to an interrogation room where he was questioned for two hours. He verbally confessed to the crime, and signed a written statement, prepared by the police, admitting his guilt. Darren's confession included a statement that he was aware of his rights, and that any statements he made could be used against him. However, the police made little effort throughout

the interrogation to allow Darren access to a lawyer, or generally notify of him of his rights.

What protection(s) and amendment(s) are involved?

Should Darren's confession be allowed as evidence at trial?

SCENARIO 6

Elaine, a respected physician in the community, was accused of murdering her husband, Adam. Elaine continually maintained her innocence in Adam's death. The murder trial was a media sensation—reporters were in the courtroom, and were even assigned seats between the jurors and the defendant. The story was all over the local and state press for weeks. Editorials demanded a guilty verdict. The jury was not sequestered and had access to the media coverage. Elaine was found guilty. After her conviction, Elaine claimed that the extensive media coverage tainted her prosecution, and led to an unfair guilty verdict. She appealed her conviction, arguing that the media coverage biased the opinions of those in her community, requiring that her guilty verdict be overturned.

What protection(s) and amendment(s) are involved?

Should Elaine's conviction for Adam's murder be overturned?

SCENARIO 7

Sara, a public high school student, was caught smoking cigarettes in the school bathroom. The teacher who caught Sara took her to the principal’s office, where a school official questioned her about whether she was smoking in the bathroom. She denied it. The principal, not believing her story, decided to take further action by looking into Sara’s purse. He found a pack of cigarettes as well as a bag of rolling papers commonly associated with drug use. The official then decided to thoroughly search Sara’s purse. He discovered a bag of marijuana and various papers that seemed to indicate that Sara was dealing marijuana. He placed Sara on suspension and called the police.

What protection(s) and amendment(s) are involved?

Was it appropriate for the school official to examine the contents of Sara’s purse?

SCENARIO 8

Matt was a prominent leader of the Ku Klux Klan. At a Klan rally, Matt advocated support for the Klan ideal of “white power.” He gave a speech full of racial epithets. He also said, in an apparent threat, “If our President, our Congress, our Supreme Court, continues to suppress the white, Caucasian race, it’s possible that there might have to be some revenge taken.” He was afterwards arrested for violating a state law that prohibited the advocacy of crime, sabotage, or violence as a means of accomplishing political reform. The law also prohibited the gathering of any society or group formed to teach or advocate such messages. Matt was fined \$1,000 and sentenced to ten years in prison.

What protection(s) and amendment(s) are involved?

Should Matt have been arrested for his advocacy of, and rally for, Klan ideals?

Using the Bill of Rights Handout

Answer Key

- Scenario 1: Just compensation for taken property, Fifth Amendment
- Scenario 2: Freedom from government-established religion, First Amendment
- Scenario 3: No cruel and unusual punishment, Eighth Amendment
- Scenario 4: Free religious exercise, First Amendment
- Scenario 5: Right against self-incrimination, Fifth Amendment; right of the accused to have access to counsel, Sixth Amendment
- Scenario 6: Due process, Fifth Amendment; right to a fair trial by impartial jury, Sixth Amendment; related issues: freedom of the press, First Amendment; public trials, Sixth Amendment
- Scenario 7: Freedom from unreasonable searches and seizures, Fourth Amendment
- Scenario 8: Freedoms of speech and assembly, First Amendment

Bill of Rights Quiz

Directions: Read each situation below very carefully. Next name the amendment or Bill of Right that is being exercised in each of the following situations in the space provided. Turn this in when finished! QUIZ GRADE! Check the back if needed!

1. Pat was stopped by a police officer on his way home from school. The police officer wanted to search Pat's backpack because he heard a teenage boy had just robbed the candy store on the corner. Pat said to the officer, "Do you have a warrant?" The officer said, "No." Pat informed the officer that he could not search his bag because it violated his rights. _____
2. Angela arrived home one evening to find a member of the United States navy sitting at the dining room table eating dinner with her parents. Angela quickly turned to her parents and said, "Why is there a military person in our home?" Angela's parents said, "We were told we had to house this soldier." Angela quickly kicked the soldier out and said to him, "Read the Bill of Rights."

3. Cody is upset over the current curfew effecting teenagers throughout Glendale. Cody decided that he was going to collect as many signatures as he could on a petition and present it to the city government's office. _____
4. Zach, a recent immigrant to the United States, was driving around the city of Los Angeles and noticed that there were churches and temples from several different religions located throughout the city. He was amazed at the fact that people in the United States could practice and worship any religion of their choice. _____
5. On January 10, 2002, Sergio was arrested for trespassing on his neighbor's property. When he appeared before the judge to set his trial date, the judge told him his trial would take place on January 24, 2006. Sergio immediately informed the judge that this date was unacceptable. _____
6. Nowhere in the Constitution does it talk about what part of the federal government is in charge of education. Today each individual state controls and sets the standards for their state's educational system

7. Daisha was caught littering in the park one day after school. When she went to trial, the jury found her guilty since there was a ton of evidence showing her guilt. The judge decided to give Daisha a special sentence. He wanted Daisha to walk from Los Angeles to Washington D.C. Along her journey across the country, Daisha had to fill up 1 million bags of trash with litter she found along the roads. Daisha quickly

informed the judge she did not have to fulfill this sentence. _____

8. Alexis was told that she could not wear her favorite shirt anymore because of a slogan that was written on it. Instead she had to wear shirts that were only approved by the federal clothing agency. Alexis knew that this rule could not possibly be true because she learned about the Bill of Rights in school.
- _____

9. Alston wrote a nice lengthy article for the *Daily News* describing the changes students would like to see at Roosevelt Middle School. The principal tried to stop Alston's article from being published in the local newspaper, but she was unsuccessful. _____

10. Madyson visited one of her elderly neighbors and noticed that she had a gun locked away in one of her cabinets. During the visit, Madyson turned to her neighbor and asked, "Why do you have a gun in your house?" Her neighbor simply said, "I am exercising my right to own a gun legally." _____

The Bill of Rights

- 1 Guarantees freedom of religion, speech, assembly, and press, and the right of people to petition the government
- 2 Protects the right of states to maintain a militia and of citizens to bear arms
- 3 Restricts quartering of troops in private homes
- 4 Protects against "unreasonable searches and seizures"
- 5 Assures the right not to be deprived of "life, liberty, or property, without due process of law," including protections against double jeopardy, self-incrimination, and government seizure of property without just compensation
- 6 Guarantees the right to a speedy and public trial by an impartial jury
- 7 Assures the right to a jury trial in cases involving the common law (the law established by previous court decisions)
- 8 Protects against excessive bail and cruel and unusual punishment
- 9 Provides that people's rights are not restricted to those specified in Amendments
- 10 Restates the Constitution's principle of federalism by providing that powers not granted to the national government nor prohibited to the states are reserved to the states and to the people