Rights of the Accused

Content Area: **Social Studies**
Course(s): **Criminal Justice**
Time Period: **Semester 1 & 2**
Length: **2 weeks**
Status: **Published**

Standards

SOC.12.AD.12.1	Students explain the fundamental principles and moral values of American democracy as expressed in the U.S. Constitution and other essential documents of American democracy.
SOC.12.AD.12.2	Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.
SOC.12.AD.12.5.1	Understand the changing interpretations of the Bill of Rights over time, including interpretations of the basic freedoms (religion, speech, press, petition, and assembly) articulated in the First Amendment and the due process and equal-protection-of-the-law clauses of the Fourteenth Amendment.
SOC.12.AD.12.5.2	Analyze judicial activism and judicial restraint and the effects of each policy over the decades (e.g., the Warren and Rehnquist courts).
SOC.12.AD.12.10	Students formulate questions about and defend their analyses of tensions within our constitutional democracy and the importance of maintaining a balance between the following concepts: majority rule and individual rights; liberty and equality; state and national authority in a federal system; civil disobedience and the rule of law; freedom of the press and the right to a fair trial; the relationship of religion and government.
SOC.6.1.12.A.14.b	Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the impact on public policies.
SOC.6.1.12.D.2.b	Explain why American ideals put forth in the Constitution (i.e., due process, rule of law, and individual rights) have been denied to different groups of people throughout time.

Enduring Understandings

- Principles defined in the Bill of Rights led to the formation of America's criminal justice system.
- The United States Constitution is a living document that can and has evolved and changed over time.
- The Supreme Court rulings on issues of Amendments 4, 5, 6, 8, 14 have changed over time based on whether the justices were active or restrained in philosophy.
- Context often determines decisions on criminal issues heard by the Supreme and lower Courts.
- Due process and equal protection are key components in ensuring the rights of the accused.

Essential Questions

- How is the US Constitution a living document?

- How do the amendments in the US Constitution help to protect our individual rights and rights of the accused?
- What is a reasonable expectation of privacy and the extent of legal searches?
- How has the Supreme Court been important in individual rights?
- Why is it presumed that all persons accused of a crime are innocent until proven guilty?
- Should a plea of insanity be considered an allowable defense in a court of law?

Knowledge and Skills

- Amendments: 4, 5, 6, 8, 14
- Amendment 4: Due process and Equal protection, Exclusionary Rule, Probable cause, Search warrants, Satellite monitoring and phone/computer tapping, Stop and Frisk
- Supreme Court cases: Gideon, Miranda, Mapp, Katz (privacy), California v. Greenwood (search garbage), Terry v. Ohio
- Statute of Limitations
- Wrongful convictions
    - Innocence Project
- Insanity plea

Resources

- The US Constitution
- Greene, Larry and Miller, Roger LeRoy, Criminal Justice in Action 11th Ed. Massachusetts: Cengage, 2022.
- Croddy, Marshall and Hayes, Bill. Criminal Justice in America 5th Edition. Los Angeles, California: Constitutional Rights Foundation, 2012.
- Hayes, Bill. Criminal Justice in America 3rd Edition. Los Angeles, California: Constitutional Rights Foundation, 2000.
- Seigel, Larry J. and Worrall, John L. Introduction to Criminal Justice 17th Edition. Boston, Massachusetts: Cengage, 2022

- C-Span Classroom
    - C-span.org/rights of accused
- Websites Supreme Court Cases
    - Landmarkcases.org, Oyez, supremecourt.gov, uscourts.gov, law.cornell.edu, njcourts. gov
- Council on Criminal Justice
- Websites related to Criminal Justice, Scenarios, Current Issues
    - apnews.com, reuters.com, Politico
- Federal, State, and Municipal agency websites
- Wall Street Journal
- News publications, including but not limited to NYTimes, Washington Post.
- Speakers from law enforcement agencies, attorneys, victims agencies, more

WH Databases, AI (Gemini, Copilot, Magicshoolai), Pear Deck

Web-based resources including but not limited to digital media (SIFT method), primary sources, peer reviews, historical documents and writings of historians

Transfer Goals

- Transferring the aspects of the Bills of Rights to police and trial practices provides student independent practice in comparing legal documents to actual cases and situations, as well as developing arguments for point of view.
- Writing reports and examining fully the evidence has students practicing critical thinking and writing skills through evaluation of the facts presented to them.

Assessments

- Readings and Questions on background information of each topic to check comprehension, clarify content, and promote analysis
- Group activities, Simulations, Debates, Graded discussions
- Scenario Analysis and Comparison to Supreme Court decisions

- Writing investigative Reports
- Presentations and peer teaching
- Career Research
- Connecting with Experts in the Field
- Decipher Statistics

Formative:

- Exit Tickets
- Openings and Closings (Do-Nows/Warm-ups)
- Strategic Questioning - higher order thinking/Historical Thinking Skills
- Think-Pair-Share
- Jigsaws
- Socratic Seminars
- Discussions
- Participation
- Four Corners
- One Minute Papers
- Google Forms
- Turn and Talk
- Response Logs

Alternative:

- Portfolios
- Creative projects - students apply knowledge
- Movie analysis
- Primary source analysis

- Concept maps
- Simulations

Benchmarks:

- SGOs: Writing Process Primary source analysis (must be submitted in oncourse by October 25, revised if necessary by January 25, and 2nd SGO completed by March 25)
- Activities using Historical Thinking Skills
    - Comparison
    - Causation
    - Continuity and Change over Time
    - Point of View
    - Multiple Perspectives
    - Argumentation
    - Intended Audience
    - Stances

Summative:

- End of Unit Performance Tasks with Rubrics
- Projects
- Presentations/Speeches

https://docs.google.com/document/d/1mKgdwpriGuRcVHIVCJUdBEk7lih12Q0ckKSTC4TMUXs/edit?tab=t.0

Modifications

https://docs.google.com/document/d/1ODqaPP69YkcFiyG72fIT8XsUIe3K1VSG7nxuc4CpCec/edit