# Unit 3 Criminal Justice and the Constitution

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## Title Section

## Department of Curriculum and Instruction

**Belleville Public Schools**

**Curriculum Guide**

# Criminal Justice

# Grades 10-12

# Criminal Justice and the Constitution

**Belleville Board of Education**

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## Unit Overview

In this unit students will make the connection between the U.S. Constitution and the criminal justice system. Students will begin to interpret the Constitution and the discover the rights of due process of law. Students will study the 4th & 5th Amendments and other basic human rights protections afforded by the Bill of Rights. Students will study landmark U.S. Supreme Court decisions defining our rights and the limits on government power in enforcing the law.

## Enduring Understanding

Patrick Henry said “The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government." With this in mind students will discover the relationship between the U.S. Constitution and the Criminal Justice System (CJS). Students will comprehend issues of due process and police use of force and how the U.S. Constitution protects citizens rights. Students will realize the power of the Constitution as a shield against human rights violations by individuals, businesses or the government. Students will observe the evolution of the CJS as individual, social, and political norms change and observe how courtroom procedure is designed to guarantee equal and fair application od the law.

## Essential Questions

What is due process of law and how is it reflected in the Constitution?

What is criminal procedure?

How does the Bill of Rights portect human rights?

How does the Constitution limit police power?

What is the right against self-incrimination?

How did the case of *Miranda v. Arizona* (1966) define police procedure?

When are Miranda warnings required?

When are Miranda warnings not necessary?

How have the U.S. Supreme Court decisions in *Weeks v. U.S.* (1914) & *Mapp v. Ohio (1961)* The Exclusionary Rule, *Terry v. Ohio* (1968) Stop and Frisk, and *Horton v. California* (1990) The Plain View Doctrine shaped criminal justice in America?

## Exit Skills

*By the end of Unit 3 students will demonstrate the ability to;*

Define due process of law and explain how it is reflected in the Constitution.

Define criminal procedure and explain how the Bill of Rights provides human rights protections.

Explain how the Constitution limits police power.

Explain the right against self-incrimination.

Explain how the case of *Miranda v. Arizona* (1966) defined police procedure.

Identify when Miranda warnings required and not necessary.

Explain the legal doctrines of the Exclusionary Rule, Stop and Frisk, and The Plain View Doctrine and identify when they apply.

## New Jersey Student Learning Standards (NJSLS-S)

Please list only the content-level and cross-curricular **New Jersey Student Learning Standards** applicable to the unit. **Do not list standards that are not used in the unit.**

| | |
|---|---|
| 9.3.LW.1 | Analyze the nature and scope of the Law, Public Safety, Corrections & Security Career Cluster and the role law, public safety, corrections and security play in society and the economy. |
| 9.3.LW.2 | Formulate ideas, proposals and solutions to ensure effective and efficient delivery of law, public safety, corrections and/or security services. |
| 9.3.LW.3 | Assess and implement measures to maintain safe and healthy working conditions in a law, public safety, corrections and/or security environment. |
| 9.3.LW.4 | Conduct law, public safety, corrections and security work tasks in accordance with employee and employer rights, obligations and responsibilities, including occupational safety and health requirements. |
| 9.3.LW.5 | Analyze the various laws, ordinances, regulations and organizational rules that apply to careers in law, public safety, corrections and security. |
| 9.3.LW.6 | Describe various career opportunities and means to those opportunities in each of the Law, Public Safety, Corrections & Security Career Pathways. |
| 9.3.LW-LEG.1 | Demonstrate effective communication skills (e.g., writing, speaking, listening and nonverbal communication) in the legal services environment. |
| 9.3.LW-LEG.2 | Interpret nonverbal communication cues in order to discern facts from fabrication. |
| 9.3.LW-LEG.3 | Produce written legal materials using writing strategies applicable to the legal services environment. |
| 9.3.LW-LEG.4 | Apply information technology tools to perform daily tasks assigned to legal services professionals. |
| 9.3.LW-LEG.5 | Analyze the role forensics plays in preventing and solving crimes. |
| 9.3.LW-LEG.6 | Use legal terminology to communicate within the legal services community. |
| 9.3.LW-LEG.7 | Compare and contrast different career fields in the legal services. |
| 9.3.LW-LEG.8 | Analyze the influence of the three branches of the U.S. Government (judicial, legislative and executive) on the legal services. |
| 9.3.LW-LEG.9 | Analyze the impact of the Fourth, Fifth, Sixth and Fourteenth Amendments on the provision of legal services. |

## Interdisciplinary Connections

Please list all and any additional **Interdisciplinary Connections/Cross-Curricular** New Jersey Student Learning Standards that link to this unit, and which are not included in the NJSLS section above.

| | |
|---|---|
| CRP.K-12.CRP1 | Act as a responsible and contributing citizen and employee. |
| CRP.K-12.CRP4 | Communicate clearly and effectively and with reason. |
| CRP.K-12.CRP7 | Employ valid and reliable research strategies. |
| CRP.K-12.CRP8 | Utilize critical thinking to make sense of problems and persevere in solving them. |
| SOC.6.1.12.A.2.a | Assess the importance of the intellectual origins of the Foundational Documents (i.e., Declaration of Independence, the Constitution, and Bill of Rights) and assess their importance on the spread of democracy around the world. |
| SOC.6.1.12.A.2.b | Compare and contrast state constitutions, including New Jersey's 1776 constitution, with the United States Constitution, and determine their impact on the development of American constitutional government. |

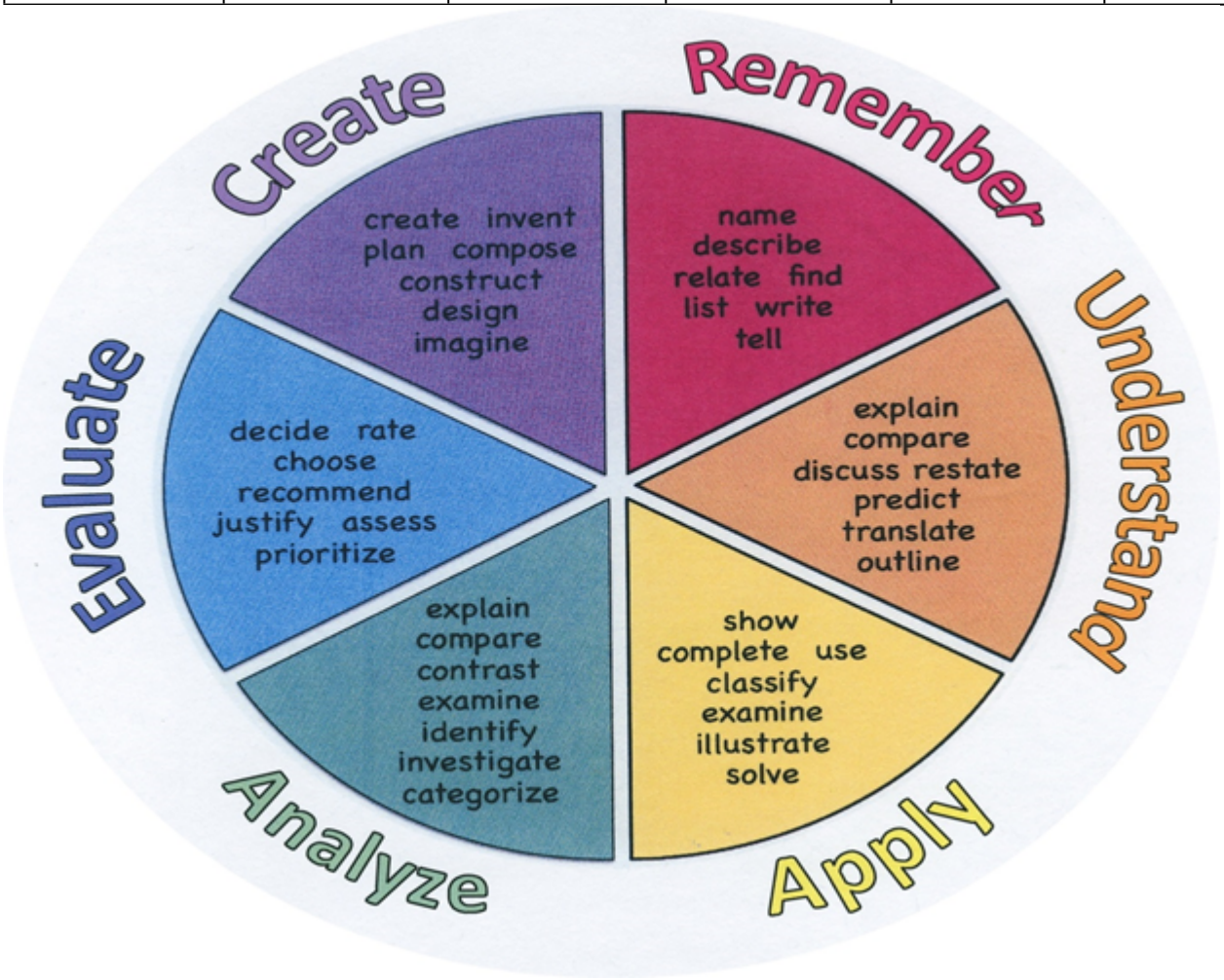
## Learning Objectives

- Define due process of law and explain how it is reflected in the Constitution.
- Define criminal procedure and explain how the Bill of Rights provides human rights protections.
- Explain how the Constitution limits police power.
- Identoify when police use of force is necessary and when it is execssive.
- Explain the right against self-incrimination.
- Explain how the case of *Miranda v. Arizona* (1966) defined police procedure.
- Identify when Miranda warnings required and not necessary.
- Explain the legal doctrines of the Exclusionary Rule, Stop and Frisk, and The Plain View Doctrine and identify when they apply.

**Action Verbs:** Below are examples of action verbs associated with each level of the Revised Bloom's Taxonomy.

| Remember | Understand | Apply | Analyze | Evaluate | Create |
|---|---|---|---|---|---|
| Choose | Classify | Choose | Categorize | Appraise | Combine |
| Describe | Defend | Dramatize | Classify | Judge | Compose |
| Define | Demonstrate | Explain | Compare | Criticize | Construct |
| Label | Distinguish | Generalize | Differentiate | Defend | Design |
| List | Explain | Judge | Distinguish | Compare | Develop |
| Locate | Express | Organize | Identify | Assess | Formulate |
| Match | Extend | Paint | Infer | Conclude | Hypothesize |
| Memorize | Give Examples | Prepare | Point out | Contrast | Invent |
| Name | Illustrate | Produce | Select | Critique | Make |
| Omit | Indicate | Select | Subdivide | Determine | Originate |
| Recite | Interrelate | Show | Survey | Grade | Organize |
| Select | Interpret | Sketch | Arrange | Justify | Plan |
| State | Infer | Solve | Breakdown | Measure | Produce |
| Count | Match | Use | Combine | Rank | Role Play |
| Draw | Paraphrase | Add | Detect | Rate | Drive |
| Outline | Represent | Calculate | Diagram | Support | Devise |
| Point | Restate | Change | Discriminate | Test | Generate |
| Quote | Rewrite | Classify | Illustrate | | Integrate |
| Recall | Select | Complete | Outline | | Prescribe |
| Recognize | Show | Compute | Point out | | Propose |
| Repeat | Summarize | Discover | Separate | | Reconstruct |

| | | | | | |
|---|---|---|---|---|---|
| Reproduce | Tell<br>Translate<br>Associate<br>Compute<br>Convert<br>Discuss<br>Estimate<br>Extrapolate<br>Generalize<br>Predict | Divide<br>Examine<br>Graph<br>Interpolate<br>Manipulate<br>Modify<br>Operate<br>Subtract | | | Revise<br>Rewrite<br>Transform |




## Suggested Activities & Best Practices

- Reading and outlining text
- Teacher oriented class discussion
- Use of PowerPoint to reinforce outlines
- Reaction Papers
- Answering Discussion Questions

- Vocabulary
- Analyze Real Cases
- Mock Trial activities

## Assessment Evidence - Checking for Understanding (CFU)

- Unit tests including outline review-summative assessment
- Web-Based Assessments using Google Classroom-alternate assessment
- Written Reports including Reaction Papers of current event legal issues
- Teacher Observation Checklist
- Student prepared outlines
- Teacher/Student class discussion
- Oral Presentations/Mock Trial activities-benchmark assessment
- Think, pair, share-formative assessment

- Common Benchmarks
- Compare & Contrast
- Define
- Describe
- Evaluate
- Exit Tickets
- Explaining
- Illustration
- Newspaper Headline
- Outline
- Quickwrite
- Quizzes
- Self- assessments
- Socratic Seminar
- Study Guide
- Teacher Observation Checklist
- Think, Write, Pair, Share
- Top 10 List
- Unit review/Test prep
- Unit tests
- Web-Based Assessments
- Written Reports

## Primary Resources & Materials

Please list all district-provided Primary Resources & Materials and/or those outside that are accessed with district resources.

- Text
- Legal research and internet articles
- PowerPoint software
- Smart T.V.
- E-Learning Platform (Google Classroom)

## Ancillary Resources

Please list all additional resources that will be used to strengthen this unit's lessons.

- BHS Courtroom and law library

## Technology Infusion

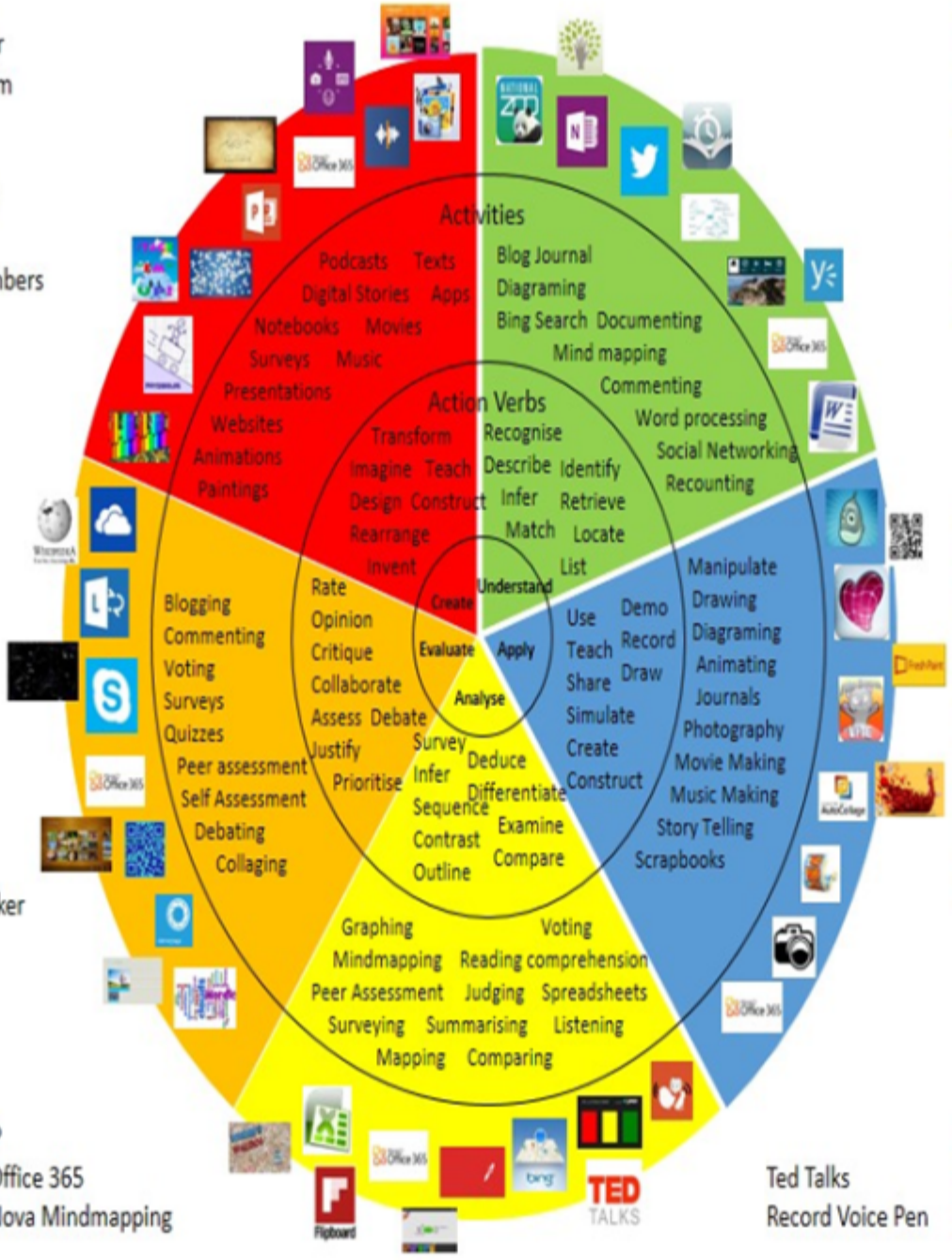
What **Technology Infusion** and/or strategies are integrated into this unit to enhance learning? Please list all hardware, software and strategies. Please find a technology pedagogy wheel for assistance while completing this section.

- Internet research on Constitutional issues in criminal law such as search and seizure case studies
- PowerPoint presentations used for lesson delivery
- Smart T.V.
- Chromebooks
- E-Learning Platform (Google Classroom)
- Video/Audio equipment for recording and reviewing courtroom presentations

# Win 8.1 Apps/Tools Pedagogy Wheel

Podcasts
Photostory 3
Kid Story Builder
Music Maker Jam
Paint A Story
Office 365
MS PowerPoint
Stack 'Em Up
NqSquared Numbers
Physamajig
Xylophone 8

Wikipedia
Skydrive
Lync
SkyMap
Skype
Office 365
Puzzle Touch
Easy QR
Memorylage
Life Moments
Word Cloud Maker




Where's Waldo?
MS Excel Office 365
Flipboard Nova Mindmapping

Ted Talks
Record Voice Pen

Originally taken from http://www.coetail.com/vzimmer/files/2013/02/iPadagogy-Wheel.001.jpg
And adapted for Windows 8.1 devices by Charlotte Beckhurst @CharBeckhurst

## Alignment to 21st Century Skills & Technology

Mastery and infusion of **21st Century Skills & Technology** and their Alignment to the core content areas is essential to student learning. The core content areas include:

- English Language Arts;
- Mathematics;
- Science and Scientific Inquiry (Next Generation);
- Social Studies, including American History, World History, Geography, Government and Civics, and Economics;
- World languages;
- Technology;
- Visual and Performing Arts.

| | |
|---|---|
| CRP.K-12.CRP1 | Act as a responsible and contributing citizen and employee. |
| CRP.K-12.CRP2 | Apply appropriate academic and technical skills. |
| CRP.K-12.CRP4 | Communicate clearly and effectively and with reason. |
| CRP.K-12.CRP7 | Employ valid and reliable research strategies. |
| CRP.K-12.CRP8 | Utilize critical thinking to make sense of problems and persevere in solving them. |
| CAEP.9.2.12.C.2 | Modify Personalized Student Learning Plans to support declared career goals. |
| TECH.8.1.12.F | Critical thinking, problem solving, and decision making: Students use critical thinking skills to plan and conduct research, manage projects, solve problems, and make informed decisions using appropriate digital tools and resources. |

## 21st Century Skills/Interdisciplinary Themes

Please list only the **21st Century/Interdisciplinary Themes** that will be incorporated into this unit.

- Communication and Collaboration
- Creativity and Innovation
- Critical thinking and Problem Solving
- Information Literacy
- Life and Career Skills
- Media Literacy

| | |
|---|---|
| LA.WHST.11-12.4 | Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience. |
| LA.WHST.11-12.5 | Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach, focusing on addressing what is most significant for a specific purpose and audience. |
| LA.WHST.11-12.6 | Use technology, including the Internet, to produce, share, and update writing products in response to ongoing feedback, including new arguments or information. |
| LA.WHST.11-12.9 | Draw evidence from informational texts to support analysis, reflection, and research. |
| LA.WHST.11-12.10 | Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, |

| | |
|---|---|
| | purposes, and audiences. |
| SOC.6.1.12.A.14 | Civics, Government, and Human Rights |
| SOC.6.1.12.A.14.a | Evaluate the effectiveness of the checks and balances system in preventing one branch of national government from usurping too much power during contemporary times. |
| 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.A.14.d | Analyze the conflicting ideologies and actions of political parties regarding spending priorities, the role of government in the economy, and social reforms. |
| SOC.6.1.12.A.14.e | Evaluate the effectiveness and fairness of the process by which national, state, and local officials are elected and vote on issues of public concern. |

## 21st Century Skills

Please list only the **21st Century Skills** that will be incorporated into this unit.

- Civic Literacy
- Financial, Economic, Business and Entrepreneurial Literacy
- Global Awareness

## Differentiation

Please remember: Effective educational Differentiation in a lesson lies within content, process, and/or product.

- Students will be given additional time for completion of assignments or assessments.
- Cooperative grouping to enhance and elevate student productivity.
- Use of visual and auditory presentations to introduce and support lesson delivery.

Please identify the ones that will be employed in this unit.

**Differentiations:**

- Small group instruction
- Small group assignments
- Extra time to complete assignments
- Pairing oral instruction with visuals
- Repeat directions
- Use manipulatives
- Center-based instruction
- Token economy
- Study guides
- Teacher reads assessments allowed
- Scheduled breaks
- Rephrase written directions
- Multisensory approaches
- Additional time
- Preview vocabulary

- Preview content & concepts
- Story guides
- Behavior management plan
- Highlight text
- Student(s) work with assigned partner
- Visual presentation
- Assistive technology
- Auditory presentations
- Large print edition
- Dictation to scribe
- Small group setting

**Hi-Prep Differentiations:**

- Alternative formative and summative assessments
- Choice boards
- Games and tournaments
- Group investigations
- Guided Reading
- Independent research and projects
- Interest groups
- Learning contracts
- Leveled rubrics
- Literature circles
- Multiple intelligence options
- Multiple texts
- Personal agendas
- Project-based learning
- Problem-based learning
- Stations/centers
- Think-Tac-Toes
- Tiered activities/assignments
- Tiered products
- Varying organizers for instructions

**Lo-Prep Differentiations**

- Choice of books or activities
- Cubing activities
- Exploration by interest
- Flexible grouping
- Goal setting with students
- Jigsaw
- Mini workshops to re-teach or extend skills
- Open-ended activities
- Think-Pair-Share
- Reading buddies
- Varied journal prompts
- Varied supplemental materials

## Special Education Learning (IEP's & 504's)

Please identify the **Special Education Learning** adaptations that will be employed in the unit, using the ones identified below.

- Students will work in cooperative groups to prepare Unit outline
- Students will use Unit outline to complete Unit assignments and assessments
- Students will work cooperatively to identify constitutional protections for a person accused of criminal behavior

- printed copy of board work/notes provided
- additional time for skill mastery
- assistive technology
- behavior management plan
- check work frequently for understanding
- computer or electronic device utilizes
- extended time on tests/ quizzes
- modified assignment format
- modified test content
- modified test format
- modified test length
- multi-sensory presentation
- multiple test sessions
- preferential seating
- preview of content, concepts, and vocabulary
- Provide modifications as dictated in the student's IEP/504 plan
- reduced/shortened reading assignments
- Reduced/shortened written assignments
- secure attention before giving instruction/directions
- shortened assignments
- student working with an assigned partner
- Use open book, study guides, test prototypes

## English Language Learning (ELL)

Please identify the **English Language Learning** adaptations that will be employed in the unit, using the ones identified below.

- Students will work with a peer tutor on Unit assignments and assessments
- Assignments will be modified to enable students to focus on selected objectives such as legal vocabulary by providing a glossary

- Students and teacher will use translation apps to enable students to focus on selected objectives such as legal vocabulary

- using videos, illustrations, pictures, and drawings to explain or clarif
- allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning;
- allowing students to correct errors (looking for understanding)
- allowing the use of note cards or open-book during testing
- decreasing the amount of workpresented or required
- having peers take notes or providing a copy of the teacher's notes
- modifying tests to reflect selected objectives
- providing study guides
- reducing or omitting lengthy outside reading assignments
- tutoring by peers
- using computer word processing spell check and grammar check features
- using true/false, matching, or fill in the blank tests in lieu of essay tests

## At Risk

Please identify Intervention Strategies that will be employed in the unit, using the ones identified below.

- Students will be provided with Unit PowerPoint study guide
- Students will be allowed to use study guide/outline on Unit assessments
- Alternate assessments will be used such as Reaction Papers focusing on constitutional issues in Criminal Law

- allowing students to correct errors (looking for understanding)
- teaching key aspects of a topic. Eliminate nonessential information
- allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning
- allowing students to select from given choices
- allowing the use of note cards or open-book during testing
- decreasing the amount of workpresented or required
- marking students' correct and acceptable work, not the mistakes
- modifying tests to reflect selected objectives
- providing study guides
- reducing or omitting lengthy outside reading assignments
- tutoring by peers
- using authentic assessments with real-life problem-solving
- using true/false, matching, or fill in the blank tests in lieu of essay tests
- using videos, illustrations, pictures, and drawings to explain or clarify

## Talented and Gifted Learning (T&G)

Please identify the **Talented and Gifted** adaptations that will be employed in the unit, using the ones identified below.

- Students will use Legal Reasoning problem solving skills to resolve Criminal Law cases
- Students will work in groups to represent the prosecution and defense in a criminal cse and present arguments to student jurors
- Students will identify a current criminal law issue and present the issue and arguments on class web page for other students to participate in a threaded discussion

- Advanced problem-solving
- Allow students to work at a faster pace
- Cluster grouping
- Create a plan to solve an issue presented in the class or in a text
- Debate issues with research to support arguments
- Higher order, critical & creative thinking skills, and discovery
- Multi-disciplinary unit and/or project
- Teacher-selected instructional strategies that are focused to provide challenge, engagement, and growth opportunities
- Utilize project-based learning for greater depth of knowledge

## Sample Lesson

**Unit Name:**
Unit 3 Criminal Justice and the Constitution

**NJSLS:**
See Link Below

**Interdisciplinary Connection:**
Critical Thinking

Problem Solving

Reading- Informative text/vocabulary

Writing-analysis/evaluation

**Statement of Objective:**
SWDAT explain the Due Process Revolution and apply due process principles **by** answering Ch. 3-3 Discussion Questions. Students will complete the Discussion Questions with 90% accuracy.

**Anticipatory Set/Do Now:**
Read *Brown v. Mississippi*

**Learning Activity:**
T/O class discussion/PPT; Ch. 3-3 Discussion Questions.

**Student Assessment/CFU's:**
See Link Below

**Materials:**
Textbook
Internet
PowerPoint
Lap-Tops

**21st Century Themes and Skills:**
See Link Below

**Differentiation:**
See Link Below

**Integration of Technology:**
PowerPoint
Internet
Class Webpage