

## **Kid Civics: Rights of the Accused**

### General Lesson Structure

**1. Introduction: Start with a discussion to engage students in the topic. Possible questions include:**

- a. What are some of the ways that the government can punish people if they break the law?
- b. How does the government know that someone broke the law? Sometimes this is easy; for instance, if a police officer sees someone run a red light or swerve into the opposing lane. However, sometimes, it's not so easy, especially if no one, least of all the police, saw a crime being committed.
- c. In that case, the police have to investigate and gather clues to determine who broke the law so that they can be brought to justice. This is an important job so that our communities can be kept safe.
- d. However, let me ask you another question: Is everyone accused of a crime the person who actually did it? No!
- e. In order to prevent the government from punishing innocent people, the Constitution includes protections for those accused of crimes. Let's watch.

**2. Watch Kid Civics Video: Rights of the accused.**

**3. Discuss:**

- a. Why did the founding fathers believe it was important to protect the rights of those accused of crimes?
- b. What does the Fourth Amendment protect against? What is probable cause? What is a search warrant?
- c. Under what conditions could the police enter Patty Smack's home?
- d. What does the Fifth Amendment protect against?
- e. Why do you suppose the Bill of Rights protects your right to remain silent?

**4. Activity:**

- a. Have students write a story about an individual accused of a crime and the investigation of police into the crime. Their story should include the following terms: Fourth Amendment, Unreasonable Search & Seizure, Probable Cause, Search Warrant, Fifth Amendment, Right to Remain Silent, due process of law.

**5. Closing and reflection:**

- a. Summarize the key points:
  - i. More than half of the Bill of Rights is dedicated to those accused of crimes, which tells us how important it was to the founding fathers.
  - ii. Because not everyone who is accused is guilty, the founding fathers thought it was important to ensure innocent people do not get locked up or punished for crimes they did not commit.
  - iii. Due Process of Law guarantees that the government must follow proper procedures if it accuses someone of breaking the law and their punishment could be taking away their life, liberty or property.

**6. Lesson Learning Goals:**

- a. Understand how the Fourth and Fifth Amendments protect the rights of those accused of crimes.
- b. Understand why protecting the rights of the accused is essential in a democracy.
- c. Understand that the government must follow proper procedures before taking away someone's life, liberty or property.

# Vocabulary Aid: Bill of Rights

## **FIRST AMENDMENT**

*Abridging*: Limit or take away.

*Establishment of religion*: Picking a favorite religion and make everyone follow it.

*Free exercise of religion*: Believing and practicing your religion in your own way.

*Petition*: Asking the government to fix a problem.

*Prohibiting*: Stopping someone from doing something.

*Redress*: To make something that was unfair right again.

*Thereof*: Refers to something just mentioned.

## **SECOND AMENDMENT**

*Bear arms*: Owning and carrying a gun

*Infringed*: Taken away

*Militia*: A group of everyday, ordinary people who are ready to fight for their state or country.

*Regulated*: Rules that help something work properly.

## **THIRD AMENDMENT**

*Quartered*: To give someone a place to stay.

*Consent*: Giving your permission to something.

*Prescribed*: Decided by rule or law.

*Regulated*: Rules that help something work properly.\

#### **FOURTH AMENDMENT**

*Seizure:* When police take something to use as evidence in a crime.

*Probable cause:* When police have a good reason (in the form of evidence) to believe that someone has committed a crime.

*Warrant:* An order from a judge that gives the police permission to search an area.

*Particularly:* Specifically or exactly.

*Violated:* When a rule is not followed.

*Shall Issue:* Can be given

*Oath or affirmation:* A serious commitment to be honest.

#### **FIFTH AMENDMENT**

*Incrimination:* Proof or evidence that someone broke the law.

*Capital crime:* A serious crime punishable by death.

*Indictment:* When police or the courts officially charge someone with a crime.

*Grand jury:* A group of people who decide whether there's enough evidence to put a person on trial for a crime.

*Offense:* When someone breaks a rule or law.

*Jeopardy:* When you could get in trouble or punished for something.

*Compelled:* Required

*Due process of law:* Following proper procedures

## **SIXTH AMENDMENT**

*Accused:* The person people think did something wrong.

*Prosecutions:* When the government tries to prove someone did a crime.

*Trial:* When people go to court to figure out if someone did something wrong.

*Impartial jury:* A group of people who listen fairly and don't take sides.

*Ascertained:* When you make sure something is correct.

*Compulsory:* Required.

*Counsel:* A lawyer who helps people in court.

*Witnesses:* People who tell what they saw or heard about what happened.

## **EIGHTH AMENDMENT**

*Excessive:* More than necessary

*Fines:* Having to pay money because you did something wrong.

*Bail:* Money you give the court so you can get out of jail while waiting a trial.

*Imposed:* Made a rule or punishment happen.

*Inflicted:* Someone causes hurt or damage to someone else.

## **NINTH AMENDMENT**

*Enumeration:* Listed

*Construed:* Interpreted

*Deny:* Hold something back.

*Disparage:* To make something seem less important

## **TENTH AMENDMENT**

*Delegated:* Given a job or a power

*Prohibited:* Not allowed

*Reserved:* Saved or kept for someone or something