**Civil Rights/Liberties: Analysis of Court Cases**

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| **Class:** American Government |
| **Unit:** Civil Rights and Civil Liberties Unit |
| **Lesson Title or Topic/Essential Questions:**  This lesson asks students to analyze *Kyllo v US*, *US v. Jones* and *New Jersey v. TLO,* to better understand U.S Supreme Court decisions regarding the Fifth Amendment. |
| **Estimated Classroom Time Required for the Lesson:** Four 50-minute classes or two block periods |
| **Content Standard Alignment: From the Idaho Core Standards:**  9-12.G.4.3.4 Analyze and evaluate decisions about individual rights in landmark cases of the Supreme Court of the United States.  9-12.G.4.4.1 Analyze the struggles for the extension of civil rights.  9-12.G.4.4.3 Provide and evaluate examples of the role of leadership in the changing relationship among the branches of American government.  9-12.G.4.4.4 Discuss how the interpretation and application of the United States Constitution has evolved. |
| **Lesson Objectives/Instructional Outcomes:**  From the Boise School District American Government Standards:  Objective 1: Identify and analyze the content of the twenty-seven amendments to the Constitution.  Objective 2: Understand the changing interpretations of the Bill of Rights over time.  Objective 3: Analyze and explain due process of law.  Objective 4: Explain the controversies that have resulted over changing interpretations of civil rights. |
| **Lesson’s Relationship to Unit Structure:**  This lesson will be taught after a unit on the Supreme Court, including notes and discussion on civil rights and liberties. It builds on the knowledge from these discussions by having students analyze the cases and evidence that helped justices write their briefs. This lesson has students analyze three cases, all having to do with the Fourth Amendment and what constitutes a legal search. Two of the cases look at the use of technology to carry out a search, showing how the courts take into account how that can change a search. After this lesson, students will look at other landmark cases that relate to the First, Second, and Sixth Amendments, to show how the court has interpreted different rulings on these amendments.  **Vocabulary/Key Concepts**  Fourth Amendment  Probable Cause  Reasonable Suspicion  Search Warrant  Exclusionary Rule |
| **Instructional Materials/Resources:**  Students will need access to the briefs for each case (preferably on paper so that they can critically read the briefs), and a graphic organizer for each case to collect evidence*. Oyez* is an archive site “devoted to making the Supreme Court of the U.S. accessible to everyone” and can be a useful resource as students start collecting their evidence (<https://www.oyez.org/> ). |
| **Methods and Instructional Strategies** |
| **Concept Prerequisites:**  Civil Rights  Civil Liberties |
| **Anticipated Student Misconceptions:**  Students might struggle with the difference between probable cause and reasonable suspicion, so extra time and care will be needed to explain the difference between the two. If it seems that students are struggling, help students set up a Venn Diagram and conduct a full class discussion on similarities and differences between the two. |
| **Introduction/Anticipatory Set:**  The text of the Fourth Amendment will be projected on a screen (or written on the board), and students will be asked to rewrite the amendment in their own words. Student will then share what they wrote with a nearby classmate, followed by a whole-group discussion on the meaning of the Fourth amendment. |
| **Instructional Activities:**   * Handout the court briefs. * Have students read the brief individually and write any questions they have in the margin. * Discuss any questions. * Instruct students to number paragraphs. * Group students in pairs or in threes. * Explain to students what a key term is, have them reread the brief, and circle key terms. After they are done reading the brief, share in the small group what key terms each circled. * Discuss as an entire class the key terms of the case. * Explain what evidence is and have students reread the document, underlining evidence as they go. After students are finished, they will share what evidence they found with their small group. * Discuss with the entire class the evidence of the case. * Students will then use the brief to fill out the case summary graphic organizer. * With their graphic organizers as reference, students will write questions about the cases and/or the Fourth Amendment, for a Socratic Seminar discussion on the topic of fair search and seizure in school and out in the community. |
| **Differentiation According to Student Needs:**  An abbreviated version of the brief will be given to students with key details included. The assignment could also be shortened so that students only focus on one of the briefs, not all three. |
| **Wrap Up- Synthesis/Closure:**  Students will be asked to put themselves on the continuum of learning on their understanding of the Fourth Amendment, after reading and discussing the briefs (e.g., I know this! I sort of have it, but need help with… ,or I have no clue!). Students with questions will be asked to write these on their sticky notes as they put themselves on the continuum. |
| **Assessment (Formative and Summative):**  Students will have summative, multiple choice questions as part of the unit test, based on this Fourth Amendment activity and the specific cases used.  Formatively, they will be evaluated and advised on their graphic organizers and the critical reading of the briefs. |
| **Extension and Evaluation of the Lesson** |
| The school’s resource officer will be invited into class after this activity. The officer can speak to the concerns and issues police face when applying the Constitution in their day-to-day dealings with people. The officer will also discuss how the Fourth Amendment is considered and in school settings and applies when minors are involved. |