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| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Law Enforcement 1 |
| **Lesson/Unit Title** | The Bill of Rights and the Criminal Trial Process |
| **TEKS Student Expectations** | **130.336. (c) Knowledge and Skills**(6) The student explores the U.S. legal system and the requirements for law enforcement. The student is expected to (A) explain how citizens are protected by constitutional laws of local, state, and federal courts |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | The students will be able to:* Define the participants involved in the trial process.
* Discuss the amendments involved from the Bill of Rights.
* Explain how police duties and responsibilities affect the trial process.
* 4. Explain how the Bill of Rights affects the Trial Process.
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| **Rationale** | The Bill of Rights protects the rights of everyone involved in the criminal trial process. Law Enforcement officers must understand the rights in order to protect them. |
| **Duration of Lesson** | 2 to 10 hours  |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* |  |
| **Materials/Specialized Equipment Needed** | **Materials*** Bill of Rights and the Criminal Trial Process Key Terms handout
* Bill of Rights and the Criminal Trial Process Scenario handout
* Bill of Rights handout
* Discussion Rubric
* Individual Work Rubric
* Presentation Rubric
* Role Play Rubric
* Bill of Rights and the Criminal Trial Process Quiz and Key
* Poster board and markers
* Computers
* Internet access
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| **Anticipatory Set**(May include pre-assessment for prior knowledge) | The Bill of Rights was established not only to protect the victim’s rights, but also the rights of the accused. Use the following case study and questions for discussion:Case Study: a high school student became upset with her teacher and created a social network page to make fun of her. The student identified her teacher by name on the page and described her as “the worst teacher I’ve ever met.” The student posted that the page was created for “those select students who have had the displeasure of having [the teacher], or simply knowing her and her insane antics. Here is the place to express your feelings of hatred.” The student deleted the page after three days. The principal learned of the social network page and suspended the student from school. The student sued the principal. To read the full article do an Internet search for the following: can you trash your teacher. Why was the student suspended from school? Why did the student sue the principal? How did the court rule when the principal requested a dismissal of the case? Do you agree with the court’s ruling? Why or why not? Would the First Amendment protection apply if the student had created the page to mock another student, or if a teacher had used a page to complain about a student? Why or why not?Use the Discussion Rubric for assessment. |
| **Direct Instruction \*** | 1. Participants associated with the trial process
	1. Judge – acts as a legal referee to ensure that proper trial procedure is followed, and issues rulings on points of law. In a bench trial, the judge gives the verdict in place of a jury.
	2. Jury – present if demanded in a civil case, and present in a criminal case unless waived by the defendant
	3. Plaintiff – in a civil case, the person who files the complaint
	4. Defendant – person against whom a civil or criminal complaint is filed
	5. Defense Attorney – the lawyer representing the defendant
	6. Prosecutor – in a criminal case, the lawyer who acts as the legal representative of the people of the State in prosecuting the accused defendant
	7. Witness – gives testimony relating to the case during the trial
	8. Court Reporter – records every word spoken during the trial on a stenograph machine or a recording device
	9. Deputy Sheriff or Bailiff – keeps order in the court, guards defendants in criminal cases, and maintains custody of the jury
	10. Clerk – maintains the court’s docket, court orders, and exhibits during a trial
	11. Police – entrusted to serve and protect the public, to control and prevent crime
		1. First Responding Officer – the first officer who responds and arrives at the scene of a call requesting police assistance
		2. Investigating Officer – the officer assigned to investigate a criminal case
		3. Arresting Officer – the officer who makes the arrest of the accused
2. The Bill of Rights
	1. Amendment I – Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
	2. Amendment II – A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.
	3. Amendment III – No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.
	4. Amendment IV – The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.
	5. Amendment V – No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
	6. Amendment VI – In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.
	7. Amendment VII – In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.
	8. Amendment VIII – Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
	9. Amendment IX – The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
	10. Amendment X – The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people
3. Police Role in the Criminal Trial Process
	1. Fourth Amendment (Unreasonable Search and Seizure)
		1. Probable cause – reasonable information sufficient to warrant a man of reasonable caution in the belief that an offense has been, or is being, committed. Without probable cause, the search is illegal, and the evidence can be suppressed.
		2. Reasonable suspicion – quantum of knowledge sufficient to induce an ordinarily prudent and cautious man to believe criminal activity is at hand, based on intelligible facts (less demanding standard than probable cause).
	2. Interrogation
		1. Absence of lawyer (6th Amendment Right to Counsel)
		2. Miranda Warning (5th Amendment, Self-Incrimination
	3. Fruit of the Poisonous Tree
		1. Evidence unlawfully obtained, and all other evidence subsequently obtained, may be suppressed, thus, becoming inadmissible in court.
4. The Criminal Trial Process and the Bill of Rights
	1. Amendment IV (Search and Seizure)
	2. Amendment V (Grand Jury, Double Jeopardy, Self-Incrimination)
	3. Amendment VI (Speedy Trial, Trial by Jury, Right to Counsel, Right to Confront Accusers)
	4. Amendment VII (Trial by Jury in Civil Cases)
	5. Amendment VIII (Fines, Bail, and Cruel & Unusual Punishment)

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*NONE |
| **Guided Practice \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*NONE |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | 1. Have the students search the web using the key words Bill of Rights. Students are to choose an amendment, place it with the supporting information on a poster board, and present to class the importance of the amendment to the trial process and individual rights. Use the Presentation Rubric for assessment.
2. The students will break into three groups (prosecutors, defense attorneys and judges). Using the scenarios listed in the scenario handout, the prosecutors will argue why the search in each scenario was legal; the defense attorneys will argue why the search in each scenario was illegal; and the judges will hear the arguments from both sides, and decide whether or not the search was legal. Use the Role Play Rubric for assessment.

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*NONE |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \***  | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*NONE |
| **References/Resources/****Teacher Preparation** | Our Rights (First Edition), David Bodenhamer<http://www.sunnylandsclassroom.org/Asset.aspx?Id=1329>The Annenberg Classroom <http://www.annenbergclassroom.org/>Justice Learning <http://www.justicelearning.org> |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | **College and Career Readiness Standards**1. Technology
	1. Use technology to gather information.
	2. Use technology to organize, manage, and analyze information.
	3. Use technology to communicate and display findings in a clear and coherent manner.
	4. Use technology appropriately.
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| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) | For reinforcement, students will list terms and explain what each participants’ duty is during a criminal case and trial. Use the Individual Work Rubric for assessment.For enrichment, students will compare and contrast Evan’s case (engagement activity) with three landmark Supreme Court cases. Ask the students: If you were the judge in the Evan’s case, which of these landmark rulings (if any) would guide your reasoning and why?• Tinker v. Des Moines (1969)• Bethel School District v. Fraser (1986)• Morse v. Frederick (2007)Use the Individual Work Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)