

# Student Learning Plan

## Unit 6: Citizenship in American History and Government

### Protection of Rights Within the Judicial System [U6C6L6]



#### **Why this is important:**

In this lesson, you examine how provisions of the Fifth through Eighth Amendments protect the rights of people accused of crimes and put on trial. You will review the importance and history of each right and learn about the right to counsel and its role in the American judicial system. Additionally, you will take a close look at the Supreme Court rules concerning the death penalty and issues involved in allowing capital punishment.



#### **What you will learn to do:**

(Competency)

Compare positions on capital punishment to rights protected in the Fifth through Eighth Amendments

#### **Linked Core Abilities**

Do your share as a good citizen in your school, community, country, and the world

Apply critical thinking techniques



#### **How you will know when you are succeeding:**

You will show that you have learned the target knowledge and skills:

- by preparing and completing a survey for the school community on your state's position on capital punishment as supported by the Eighth Amendment
- by working with a partner

Your performance will be successful when:

- Survey includes a copy of the Eighth Amendment as presented in the Bill of Rights
- Survey includes key points covered in the Eighth Amendment for respondent's benefit
- Survey asks 3-6 questions pertaining to respondent's opinion of the interpretation of Capital Punishment, state laws and the Eighth Amendment
- Survey is neatly presented
- Survey is copied for distribution to peers in your school
- You complete the survey



#### **Knowledge and skills you will learn along the way:**

(Lesson Objectives)

- a. Identify how provisions in the Fifth Amendment protect your rights after arrest
- b. Explain how the Sixth Amendment is intended to provide fair hearing for accused criminals
- c. Look at issues and controversies over the Right to Counsel
- d. Examine historic and current positions pertaining to types of punishment
- e. Define key words: acquitted, bail, capital punishment, cruel and unusual punishment, double jeopardy, felony, indicted, right to counsel,



#### **Learning Activities:**

These learning activities are designed to help you learn the target skills and knowledge for this lesson. Your instructor may assign additional or alternative learning activities.

1. PREVIEW the information in the Student Learning Plan including the competency, learning objectives, performance standards, core abilities, learning activities and assessment activities.

## 2 *Protection of Rights Within the Judicial System [U6C6L6]*

THINK ABOUT the processes and rights of people involved in a felony arrest. SEQUENCE the processes or rights within the Judicial System of a citizen arrested for a felony crime. [Work with a small team] AFFIRM the order of processes with other teams. [Work as a large group] CONSIDER recording responses to reflection questions into your Cadet Notebook.[Work independently]

- \_\_\_\_ 2. [SELF-PACED OPTION] CREATE a flow chart or Flow Map with 13 sequential boxes. ADD the following words to the boxes in order considering a person has just been arrested for a felony crime. The words are: acquitted, bail, felony arrest, indicted, speedy trial, public trial, impartial jury, charges, confronting witnesses, favorable witnesses, assistance of counsel. ADD a response to the reflection question into your Cadet Notebook.
- \_\_\_\_ 3. CONSIDER your opinion on the following statement: Should capital punishment be considered cruel and unusual punishment and therefore a violation of the Eighth Amendment. PARTICIPATE in a debriefing on the key points about the Fifth, Sixth and Eighth Amendments. REFER to Visual 3: The Fifth Amendment, Visual 4: The Sixth Amendment and Visual 5: The Eighth Amendment while discussing the key points of each Amendment. REVISE the class Flow Map or Flow Chart as you work through the provisions of each Amendment. RE-ARRANGE the process order to reflect the proper sequence of events upon a criminal arrest. CONTRIBUTE ideas about how each Amendment has been violated or could be violated. PARTICIPATE in discussion scenarios outlined in Critical Thinking Exercise Examining Current Controversies About the Right to Counsel and DISCUSS the questions presented on each issue using Think and Listen technique. [Work in a large group] CONSIDER adding your responses to the reflection questions into your Cadet Notebook. [Work independently]
- \_\_\_\_ 4. [SELF-PACED OPTION] READ the sections and CREATE a Tree Map or Double-T-Chart classifying key information about each of the Fifth - Eighth Amendments. READ the Critical Thinking Exercise: Examining Current Controversies About the Right to Counsel and answer the questions presented into your Cadet Notebook.
- \_\_\_\_ 5. THINK ABOUT what your own state's position is on capital punishment is and if you agree or disagree with it. Note: You can inquire about the laws concerning the death penalty in their state by keying in the state name within the "search" area of the following website: <http://www.deathpenaltyinfo.org/nomatch.php>. PREPARE to participate in a simulated legislative committee hearing on the use of the death penalty in your state. If your state has death penalty statues, the committee should conduct hearings to determine whether to draft a bill to abolish capital punishment in the state. If your state does not have capital punishment, the committee should be considering a bill to institute it in the state. PARTICIPATE in one of five teams: (a) legislative committee (b) families of victims of violent crimes (c) citizens committee for safer neighborhoods (d) citizens for human rights (e) citizens against the death penalty. USE Exercise 1: Arguments For and Against Capital Punishment, PREPARE your position points for the hearing. CONSIDER adding a response to the reflection question in your Cadet Notebook.
- \_\_\_\_ 6. [SELF-PACED OPTION] READ Exercise 1: Arguments For and Against Capital Punishment and ANSWER the questions. INCLUDE you answers to the questions in your Cadet Notebook. Note: If you are not familiar with your state laws on the death penalty in your state, key in the state name within the "search" area of the following website: <http://www.deathpenaltyinfo.org/nomatch.php> .
- \_\_\_\_ 7. THINK ABOUT your own views on the death penalty and the law in your own state pertaining to the issue. OBTAIN the Capital Punishment and the Eighth Amendment Assessment Task. REVIEW the directions to the assessment task. [Work with a partner] RECORD responses to reflection questions into your Cadet Notebook.
- \_\_\_\_ 8. [SELF-PACED OPTION] COMPLETE Learning Activity 7 independently.



### **Assessment Activities:**

These assessment activities will enable you to show that you have learned the target skills and knowledge for this lesson. Your instructor may assign additional or alternative assessment activities.

- \_\_\_\_ 1. COMPLETE the Capital Punishment and the Eighth Amendment Assessment Task. USE the attached scoring guide to self-assess your work. SUBMIT your completed assessment task to your instructor for feedback and a grade. CONSIDER adding your assessment task to your Cadet Portfolio.
- \_\_\_\_ 2. [SELF-PACED OPTION] COMPLETE Assessment Activity 1 independently.