**Bill of Rights**

**First Amendment “Freedoms, Petitions, Assembly”—**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging[[1]](#footnote-1) the freedom or speech, or of the press, or the right of the people to peaceably assemble, and to petition the Government for a redress[[2]](#footnote-2) of grievances.

**Second Amendment “Right to Bear Arms”**—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.

**Third Amendment** **“Quartering of Soldiers”—**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.

**Fourth Amendment “Search and Arrest”—**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.

**Fifth Amendment “Rights in Criminal Cases”—**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 the time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled[[3]](#footnote-3) 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.

**Sixth Amendment “Right to a Fair Trial”—**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 of obtaining witnesses in his favor, and to have the assistance of counsel[[4]](#footnote-4) for his defense.

**Seventh Amendment “Rights in Civil Cases”—**In Suits[[5]](#footnote-5) 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 re-examined in any Court of the United States, than according to the rules of the common law.

**Eighth Amendment “Bail, Fines, and Punishment”—**Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

**Ninth Amendment “Rights Retained by the People”—**The enumeration[[6]](#footnote-6) in the Constitution of certain rights shall not be construed[[7]](#footnote-7) to deny or disparage others retained by the people.

**Tenth Amendment “States’ Rights”—**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.

**Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Period \_\_\_\_\_\_\_\_\_\_\_\_\_**

**Directions:** Below are various scenarios that may or may not depict a violation of a person’s rights, guaranteed by the Bill of Rights. Your task is to determine whether or not a violation has taken place. If you believe a violation has taken place, you need to provide an explanation as to why you believe so that includes a reference to the appropriate amendment. You must complete ten of the twelve scenarios. If you choose, you may complete all twelve, choosing two to be graded as extra credit. If you choose to do all twelve, please circle the numbers of the scenarios you would like graded for extra credit.

**Scenario One**

*Sara, an eighteen-year old college student, is arrested for stealing a classmate’s term paper and selling it on the Internet. When she appears before the judge, she asks for a lawyer to help defend her. The judge tells her if she is smart enough to be in college, she is smart enough to defend herself. Besides, the judge says, she is not being charged with a felony, so the stakes are not very high.*

Violation: Yes No

Explanation:

**Scenario Two**

*A neighbor is suing the Joneses because a tree in the Joneses’ yard fell on their roof during a storm. The neighbors want the Jones family to pay $850 to have the roof repaired. Mr. Jones requests that a jury be present to hear his case. The judge says a jury trial is not necessary because the amount of the repairs is so small.*

Violation: Yes No

Explanation:

**Scenario Three**

*Madison is arrested for shoplifting a candy bar from a neighborhood grocery store. At trial, she is found guilty. The judge decides that the appropriate punishment is to cut off Carolyn’s hands so that she will not be able to shoplift again.*

Violation: Yes No

Explanation:

**Scenario Four**

*Mr. Adams, an avid hunter, opens the door of his home one day to find agents from the Bureau of Alcohol, Tobacco, and Firearms (ATF) outside. They inform him that certain provisions of a new federal law allow them to confiscate his rifles so that he may not engage in terrorist activities or plot against the United States government. They have no evidence that he is connected to any such activities.*

Violation: Yes No

Explanation:

**Scenario Five**

*Mr. Taft, a science teacher, asks the class to exchange papers to correct last night’s homework. A student in the class, Abigail Clinton, refuses to do so and is sent to the principal. The principal gives Abigail three days of ISS for being disobedient.*

Violation: Yes No

Explanation:

**Scenario Six**

*Abraham, a mischievous teenager, is upset because he over paid to watch a movie in a theater, and as luck would have it, the movie is no good. In a fit of anger, Abraham yells, “Fire! Fire! There’s a fire in the back of the theater!” and the theater patrons rush to the exits in a mad panic. Of course, there was no fire, and young Abraham is arrested for inciting a riot.*

Violation: Yes No

Explanation:

**Scenario Seven**

*A known drug dealer is arrested for suspected connections to an inner city murder. The police do not inform him of his rights and immediately begin to interrogate (question) him. The interrogation continues until he admits that he knows the victim of the crime and was in the neighborhood where the murder took place.*

Violation: Yes No

Explanation:

**Scenario Eight**

*William McKinley’s parents are very religious people, but William is not. On Sunday, William’s parents are going to church and they demand that William goes with them. Even though he protests, his parents force him to go and ground him for a month for being defiant.*

Violation: Yes No

Explanation:

**Scenario Nine**

*Because of the budget deficit, the United States government is looking for ways to cut costs. They have announced a plan during peacetime to house unmarried soldiers in the homes of American citizens who do not have children.*

Violation: Yes No

Explanation:

**Scenario Ten**

*Because members of Congress are unhappy with students’ standardized test scores in many states, they pass a federal law that abolishes local school boards and requires a standardized national curriculum.*

Violation: Yes No

Explanation:

**Scenario Eleven**

*James Polk is in the security line at the airport. The transportation safety agent requires him to take off his coat, his shoes, and empty his pockets. The agent also completes a pat-down search of James, even though he has never been convicted, or even charged, with a crime.*

Violation: Yes No

Explanation:

**Scenario Twelve**

*Preston Brooks is on trial for beating a co-worker of his, Charles Sumner. During the trial, the prosecution asks the judge to demand that Brooks testify. Preston Brooks refuses, but the judge orders him to testify or tells him he will be held in contempt of court and thrown in prison. Mr. Brooks refuses and is held in prison until he agrees to testify.*

Violation: Yes No

Explanation:

1. Limiting [↑](#footnote-ref-1)
2. To make right; to correct [↑](#footnote-ref-2)
3. Forced [↑](#footnote-ref-3)
4. Assistance of Counsel—defense attorney [↑](#footnote-ref-4)
5. Cases [↑](#footnote-ref-5)
6. Counting one by one [↑](#footnote-ref-6)
7. Interpreted [↑](#footnote-ref-7)