Assessment

Political Dictionary

due process (p. 564)
substantive due process (p. 565)
procedural due process (p. 566)
police power (p. 566)
search warrant (p. 568)
immovable servitude (p. 569)
discrimination (p. 570)
write of assistance (p. 571)
probable cause (p. 571)
exclusionary rule (p. 573)
right of habeas corpus (p. 576)
right of attorney (p. 577)
ex post facto law (p. 577)
grand jury (p. 577)
indictment (p. 578)
double jeopardy (p. 578)
batch trial (p. 580)
Miranda Rule (p. 585)
bail (p. 585)
preliminary detention (p. 586)
capital punishment (p. 587)
treason (p. 588)

Practicing the Vocabulary

Matching. Choose a term from the list above that best matches each description.
1. A group convened by a court to determine whether or not there is enough evidence against a person to justify a trial
2. A constitutional guarantee that a government will not deprive any person of life, liberty, or property by any unfair, arbitrary, or unreasonable action
3. The power of each State to act to protect and promote the public health, safety, morals, and general welfare
4. A sum of money that an accused person may be required to post as a guarantee that he or she will appear in court at the proper time
5. A legislative act that inflicts punishment without court trial

Fill in the Blank. Choose a term from the list above that best completes the sentence.
6. During colonial times, British officials used ______ in order to search private homes for smuggled goods.
7. According to the ______, suspects must be informed of their rights before police questioning.
8. If a person is tried twice for the same crime, he or she may have been subjected to a ______.
9. Police generally need a ______ in order to search someone’s house.
10. An ______ is a law applied to acts performed before the law was passed.

Analyzing Main Ideas

Section 1
11. What is the difference between procedural and substantive due process?
12. Describe the relationship between the States’ police power and due process of law.
13. The States may exercise the police power to protect and promote what?
14. What right did the Court first articulate in Gitlow v. Connecticut, 1931?

Section 2
15. Use the examples of the Civil Rights Cases, 1883, and Ex parte Milligan, 1866, to illustrate how the Court’s interpretation of the 13th Amendment changed over the years.
16. What are the three parts of the 3rd Amendment, and why is it not significant today?
17. What is the aim of the 4th Amendment?
18. What does the exclusionary rule exclude?

Critical Thinking Skills

27. Applying the Chapter Skill. If you are summoned for jury duty, would you rather serve on a grand jury or a trial jury? Why? Why not?
28. Checking Consistency. Recall that an accused person can be held without bail when there is good reason to believe that he or she will commit another crime. In your opinion, does this rule violate the principle of presumed innocence until proven guilty? Does it violate the guarantee of due process?
29. Identifying Assumptions. At first, criticisms of the Miranda Rule were widespread in the law enforcement community. How have the Court’s stance and the public’s response over the years resulted in the virtual disappearance of these criticisms in the last several years?
30. Determining Relevance. Why may it be said that the 2nd, 3rd, and 4th amendments are a reflection of colonial experience?
31. Identifying Central Issue. (a) Why did the Supreme Court adopt the exclusionary rule? (b) Do you think the rule should be retained or abandoned?

Participation Activities

34. Current Events Watch. Scan the newspaper for stories concerning any guarantees of the rights of the accused shown on page 576. Be prepared to give an oral report of your findings.
35. Time Line Activity. Choose an issue discussed in this chapter (for example, the constitutionality of the death penalty or abortion). Based on both the information in this chapter and your own research, make a list of the key Supreme Court decisions regarding the issue. Present these decisions in a time line that demonstrates the development of the Court’s position on the issue.

36. It’s Your Turn. Create a survey to gauge opinions on the Constitution’s protections of individual rights. First, list the several rights discussed in this chapter. Then note some of the controversies associated with some of these rights. Construct a list of questions designed to prompt the expression of opinions on these matters. Ask a number of people to respond to your survey and compile the results.

Analyzing Political Cartoons

Use your knowledge of American history and government and this cartoon to answer the questions below.

32. (a) Who are the people in the cartoon? (b) What are they watching on television?
33. What does the cartoon suggest about television cameras in the courtroom?

You Can Make a Difference

What agencies in your community confront crime? Some might target alcohol or other substance abuse, or provide counseling or legal assistance. Others emphasize crisis intervention or youth services or give aid to those in need. Set up an interview with a representative from one of these groups and get his or her opinion about what students can do within the school setting to help combat crime. If possible, make a tape recording of your interview to play for the class.

Go Online

Visit: PHSchool.com Web Code: 1np-5325

As a final review, take the Magnuson’s Chapter 20 Self-Test and receive immediate feedback on your answers. The test consists of 15 multiple-choice questions designed to test your understanding of the chapter content.

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Civil Liberties: Protecting Individual Rights