

KNOW YOUR RIGHTS

MATERIALS

- 1) Enough handouts for each student (attached to lesson).
- 2) Re-useable white board, markers, eraser – if you want one (provided in the PICC).
- 3) Bingo supplies (attached at the end of the lesson).

TAKEAWAYS

- Students will have a basic sense of the Constitutional origins of their rights.
- Students will know key rights and the amendments from which they come.

QUICK INTRO

(Time Check: 1 minute)

Tell the class: Your names, that you're law students from Stanford Law School, and you're there to teach a StreetLaw class.

- Remind the students about StreetLaw rules: don't talk about the specifics of your case, respect your classmates and your teachers.

ICEBREAKER: Got Rights?

(Time Check: 5-10 minutes)

Go around the class and have each student name a right guaranteed by the U.S. Constitution, and an example of what that right means. Have the teachers start it off to give examples for the students (i.e. the right to bear arms, it means the gov't can't take the people's guns away—keep it simple, broad strokes). If you have time, ask the students to say whether or not they think this right is important, or why.

Thank the class for participating.

ACTIVITY 1: Bill Of Rights Basics (Time Check: 25 minutes)

Introduction

Tell the students that you know they've all heard of the Bill of Rights. Explain what the Bill of Rights is (First 10 amendments or changes to the US Constitution which enumerate specific rights of all people in this country). Most of these rights are pretty famous—the rights to free speech, bear arms, due process—these are all fairly well-known. Hand out the Bill of Rights handout (attached at the end of the lesson). Note that these are some of the most famous words ever written, but acknowledge that it isn't necessarily clear what they mean. Tell students that today, we're going to take a closer look at a few of these rights, where they come from, and what, exactly, they mean.

Super-Quick History

Ask if anyone can tell you where one can find the Bill of Rights. Where's it written? (The Constitution) Who wrote it? (James Madison) Why did we need a Bill of Rights? (After the Constitution was ratified in 1787, people thought that there weren't enough individual liberties included specifically, so they added these first ten Amendments to the Constitution, and ratified them in 1791).

Deconstructing The Bill

Divide the class into three groups. Tell them that each group is going to get three Amendments. They should read through the Amendments very carefully, figure out what they think they mean, and then, in ten minutes, each group will explain their three Amendments to the class. Teachers will join each group to help out, so no pressure!

Tell the class that since there are ten Amendments, we'll do the first one together as a big group.

Write the First Amendment up on the board. Break it up into its five major rights. Parse it carefully for the class, so that you manage to get **freedom of speech, freedom of religion, freedom of the press, the right to assemble, and the right to petition** out of it. Give a brief example of each.

Divide up the Amendments amongst the groups, giving one group the Second, Fifth, and Ninth, one group the Third, Fourth, and Tenth, and one group the Sixth, Seventh, and Eighth (or whatever other division seems equitable to you).

Help the students parse out their Amendments. After ten minutes or so, go through the Bill of Rights (in order) and have the groups explain their rights to each other.

Note: Most students will get tripped up on the actual language of the Bill of Rights; focus on the individual rights outlined in each without getting bogged down in the legalese.

If you can, work in past lessons—i.e. search and seizure, Miranda, even Three Strikes (which can be discussed in an Eighth Amendment context).

ACTIVITY 2: Bill Of Rights BINGO!
(Time Check: 25 minutes)

Hand out the Bingo boards to students. Explain that now that we have a basic sense of what each Amendment means, we're going to play a game. Ask if everyone is familiar with the game of BINGO—you have a board, and the goal is to cross off a row of squares, whether horizontal, vertical, or diagonal. This game is similar—in the first round, we're going to call off *basic rights* and students are to cross off the squares if they have a square with the Amendment that right comes from. So, if I call off “Freedom of the Press!” and you have a square with the First Amendment, you can cross it off. First one to get a whole row crossed off yells BINGO! and is the WINNER!

In the Second Round, we're going to make it a *lot* harder. We're not going to just name rights any more—we're going to give the class *situations*. Each player has to decide *what right is involved in that situation*, and then cross off the proper Amendment. When someone wins BINGO, they'll have to explain why they picked the rights they did.

Note: Try to get through the first round quickly—it's just there to build confidence. The meat and potatoes of this game is in the second round! If the class seems comfortable with the Bill of Rights (or has seen this lesson before), feel free to skip to the second round.

BINGO – Callers Sheet (keep it *RANDOM*) – ROUND ONE

1st Amendment

- Freedom of Speech
- Freedom of the Press
- Freedom of Religion
- Right to Assemble
- Right to Petition

2nd Amendment

- Right to a militia
- Right to keep and bear arms

3rd Amendment

- Protection from the Quartering of Troops

4th Amendment

- Protection from Unreasonable Search and Seizure
- Warrant Requirement

5th Amendment

- Due Process
- Double Jeopardy
- Right Against Self-Incrimination
- Eminent Domain

6th Amendment

- Trial by Jury
- Speedy Trial
- Public Trial
- Right to Confront Accusers
- Right to an Attorney

7th Amendment

- Right to a Jury in a Civil Trial

8th Amendment

- No Excessive Bail
- No Excessive Fines
- No Cruel and Unusual Punishment

9th Amendment

- Protection of Rights Not Specifically Enumerated

10th Amendment

- Powers of States

Round Two - Situations

Note: Please skip around – these are kind of inadvertently in order—go in any order you please, and add as many more examples as you can think of. Just don't repeat yourself!

In June 2002, the Ninth Circuit Court of Appeals ruled that the phrase “under God” in the Pledge of Allegiance was unconstitutional. What Amendment do you think they relied on? (1st Amt – freedom of religion)

A group of people built a statue of Elvis look like it's weeping blood, and this statue has developed quite a following. A lot of people even think the statue is holy, and the group has been collecting donations from people who want to visit the statue and pray. The cops want to bring down this whole weeping-Elvis scheme, but the group claims protection—under which Amendment? (1st Amt – freedom of religion).

President Obama hates the National Enquirer. He thinks they're evil, and demands his friends in Congress put a stop to their mischief. His friends just shrug and say there's nothing they can do. Why not? (1st Amt – freedom of the press).

The President of Iran, visiting Washington, can't *believe* how insulting political cartoonists are to the president! He asks the president why he allows such insubordination, and the president shrugs, and points to which Amendment? (1st Amt – freedom of the press).

Which Amendment allows me to wear a T-Shirt that says “Fuck You” when I go to the DMV? (1st Amt – Free Speech)

Which Amendment allows special interest groups to hassle Congresspeople into agreeing with their cause? (1st Amt – right to petition)

It really annoys me when cyclists – part of this “critical mass” movement – group up and block the road, causing a huge traffic jam. Why is this allowed? (1st Amt – freedom to assemble).

Although minors are not allowed to have guns, and felons are not allowed to have guns, no state can make a law saying that guns are illegal. Why? (2nd Amt)

In 2033, the U.S. Government decides that the people have become too dangerous. They decide to make all weapons illegal. Larry Lawyer, head of the Department of Justice, gently reminds Congress they can't do this. Why not? (2nd Amt)

It costs the government a whole lot of money to build barracks and army bases for our troops—why can't we just say that every family with an extra bedroom in their house (or a spare couch) has to let a soldier stay? (3rd Amt)

We learned not so long ago that if the police don't have a warrant, probable cause or your consent, and you are not on probation, in a school or at the airport, the police can't just randomly go through your house. Why not? (4th Amt)

Dirty Harry goes to Judge Dredd and demands a warrant to search the home of Bob Law. He says he's got a hunch Bob's up to no good. Judge Dredd tells Dirty Harry he'll need a lot more than that to get a warrant – why? (4th Amt).

Dirty Harry comes back with an anonymous tip, delivered via the police department's anonymous-tip-telephone-line. The tip says, "Bob Law is up to no good." The Judge shrugs, and writes out a warrant. It says "Warrant – Search Bob Law's House – for illegal stuff." Why isn't this good enough? (4th Amt – particularity of description requirement.)

When the Judge tried to make Rob Banks take the stand and testify at his own larceny trial, he refused, and there was nothing the Judge could do to force him to testify. Why not? (5th Amt)

This Amendment protects people from being tried again for the same crime after a jury finds them not guilty. (5th Amt)

Old Lady Jones doesn't want to sell her little house, but the government official tells her she has no choice—the government will pay her a fair price, but her home stands in the way of a new highway, and she has no choice but to sell out and move on. What Amendment makes this possible? (5th Amt)

Everyone knows that Serial Killer Sam is guilty of a lot of stuff. If G.I. Joe goes home for the holidays and finds Serial Killer Sam camping out in his backyard in Illinois, how come he has to call the cops—and why can't the cops just shoot Osama on the spot? (5th Amt – due process)

When Terri Bull-Luck was charged with arson, her lawyer actually *slept* through her trial. The whole thing. He even snored. And drooled. After being sentenced to thirty years, Terri appeals her conviction, and argues that she should have a new trial. What amendment would help her win? (6th Amt)

When Billy The Kid is arrested, he demands to know what the charges against him are. What Amendment does he use to back up his demand? (6th Amt)

Slow Joe is the world's slowest trial lawyer. He takes so long to get through a case, that his clients wait years on average to go to trial. Client Chris doesn't think this is constitutional? Why? (6th)

Ru Paul is arrested for disturbing the peace in Los Angeles. Sneaky Pete, the prosecutor, wants to have the trial moved to Alabama, where he's sure he can get a conviction on Ru

Paul's looks alone. The judge rolls his eyes and tells Sneaky Pete the constitution won't allow such a move. Why not? (6th Amt)

Lazy Judge Lewis is tired of hearing all these whining witnesses, complaining in court about what the defendant did. He decides it would be a lot easier if everyone just wrote sworn letters to the court, and then he could do a whole trial without ever leaving his La-Z-Boy! The defendant tells the judge that this is unconstitutional. Why? (6th Amt)

Reginald Rose gets called to jury duty. He hates jury duty. He tries to get out of it, but gets assigned to a complicated civil suit about a the patent of a medical device—one company says another company copied their invention, and is suing for millions and millions of dollars. Reginald is so confused by the scientific evidence, and so bored he can barely stay awake. He wonders to himself, why the hell do I have to be here, anyway? Couldn't a judge just decide this by himself? Or an expert or something? Why does Reginald have to be there? (7th Amt)

Insatiable Industries sues Tidbit Technologies for stealing their delicious recipes for canned catfish stew. They don't want any money damages, though, just an apology, and a court order saying that Tidbit will keep their nose out of Insatiable's stew from this point forward. The judge rules in favor of Insatiable, and Tidbit complains that this violates their right to a jury trial. The judge tells Tidbit to get stuffed. Why? (7th Amt)

Steve McQueen gets a speeding ticket. When he goes to pay it, he's told that the fine is \$1 million. Steve is outraged, and claims that such a fine is unconstitutional. Why? (8th Amt)

The U.S. Government can't torture people to death, no matter how heinous their crime. Why not? (8th Amt)

The Ninth Circuit Court of Appeal ruled that it was unconstitutional to give a man a life sentence for the petty theft of about \$100 in video tapes from a local K-Mart. Why? (8th Amt)

What Amendment do people most frequently use to argue that the death penalty should not be allowed in America? (8th Amt)

Nothing in the bill of rights mentions a woman's right to choose, but the Supreme Court decided that women nonetheless have a Constitutionally-protected right to abortion. Why does this right get protection even though abortion wasn't mentioned by our Founding Fathers? (9th Amt)

States get to make the rules about drivers licenses – some states give learner's permits to 14-year-olds, some say you have to be 16 to get behind the wheel. How come the Federal Government can't swipe this power away and make a standard for the whole country? (10th Amt)

In most states, you're not allowed to marry your cousin. In a couple of states, though, marrying your own cousin is A-OK. Why doesn't the Constitution keep states from having such inconsistent rules? (10th Amt)

There isn't actually a national law about drinking age—the rule that people can't drink until age 21 is actually just a law that exists in every state. Why do we all agree on this? Well, the Federal Government withholds money for highway maintenance from states that don't set their drinking age to 21. Why can't the Federal Government just make its own law? (10th Amt)

Conclusion
(Time Check: 2 minutes)

Thank the students for their time, energy and focus. Ask them if they have any questions about the Bill of Rights or any other constitutional amendments.

Remind them that all people, regardless of immigration status, age, etc. are entitled to the rights enumerated in the Bill of Rights.



- [First Amendment](#) – [Establishment Clause](#), [Free Exercise Clause](#); [freedom of speech](#), of the [press](#), [Freedom of Religion](#), and of [assembly](#); [right to petition](#),

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.

- [Second Amendment](#) – [Militia \(United States\)](#), [Sovereign state](#), [Right to keep and 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](#) – Protection from [quartering](#) of troops.

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](#) – Protection from unreasonable [search and seizure](#).

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](#) – [due process](#), [double jeopardy](#), [self-incrimination](#), [eminent domain](#).

No person shall be held to answer for any 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 offence 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.

- [Sixth Amendment](#) – [Trial by jury](#) and [rights of the accused](#); [Confrontation Clause](#), [speedy trial](#), [public trial](#), [right to counsel](#)

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 where in 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.

- [Seventh Amendment](#) – [Civil](#) trial by jury.

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 re-examined in any court of the United States, than according to the rules of the common law.

- [Eighth Amendment](#) – Prohibition of [excessive bail](#) and [cruel and unusual punishment](#).

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

- [Ninth Amendment](#) – Protection of rights not specifically enumerated in the Bill of Rights.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

- [Tenth Amendment](#) – Powers of States and people.

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.

Bill of Rights Bingo

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Fourth	Third	Eighth	Second	First
Third	Ninth	Sixth	Seventh	Fifth
Fifth	Third	FREE!	Eighth	First
Second	Fourth	Second	Ninth	Tenth
Sixth	Seventh	Tenth	Fourth	First

Bill of Rights Bingo

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Tenth	First	Eighth	Sixth	Third
Second	Eighth	Third	Fifth	Third
Seventh	Sixth	FREE!	Ninth	Second
Fourth	Second	Ninth	Seventh	Tenth
Fourth	Fourth	First	Fifth	First

Bill of Rights Bingo

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Ninth	Fourth	First	Tenth	Third
Eighth	Second	Second	Seventh	First
Third	Fifth	FREE!	Tenth	Ninth
Fifth	Fourth	Fourth	Sixth	Eighth
Second	Seventh	Third	First	Sixth

Bill of Rights Bingo

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Third	Second	Tenth	Eighth	Fourth
Sixth	Seventh	Eighth	Third	Fifth
First	Fourth	FREE!	Tenth	Second
First	Second	Third	Sixth	Ninth
Seventh	Ninth	Fifth	First	Fourth

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Second	Fourth	Third	Seventh	Fourth
Third	Second	Fourth	Fifth	Eighth
Sixth	Seventh	FREE!	Ninth	Tenth
Third	Eighth	First	Fifth	Second
First	Ninth	First	Sixth	Tenth

Bill of Rights Bingo

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Third	Fifth	First	Tenth	Fourth
Fifth	Sixth	Ninth	Seventh	Second
Ninth	Third	FREE!	Sixth	Second
Fourth	Seventh	Third	Fourth	First
Eighth	First	Second	Tenth	Eighth

Bill of Rights Bingo

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Second	Tenth	Fifth	Eighth	First
Sixth	Fourth	Second	Sixth	Third
Third	First	FREE!	Seventh	Fourth
First	Fourth	Fifth	Tenth	Eighth
Seventh	Third	Ninth	Ninth	Second

Bill of Rights Bingo

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Second	Seventh	Fifth	Ninth	First
Fourth	Tenth	Fifth	Tenth	Third
Seventh	Third	FREE!	Ninth	Third
First	Second	Eighth	Fourth	First
Sixth	Fourth	Sixth	Second	Eighth