



The Bill of Rights

For use with the chart to section 4.1 & 4.2



1st Amendment

Freedom of Religion

Freedom of Speech

Freedom of the Press

Right to Assemble Peaceably

Right to Petition the Government

1st Amendment: Freedom of Religion

1. The state (government) and church must be separate (must not interfere with each other).
2. People are free to worship whatever religion they want provided it does not violate the rights of others.

Vocabulary

1. ***“Establishment Clause”**: This part of the First Amendment is referred to as the establishment clause because it reads “Congress shall make no law respecting an establishment of religion, ...”
2. ***“Free Exercise Clause”**: This part says people should be able to practice their own religion within reason.

1st Amendment: Freedoms of Speech & Press

People have the right to say or print what they want provided they do not deliberately write (*libel*) or verbalize (*slander*) false, malicious statements about somebody.

Vocabulary 1. Slander: a malicious, false, and personally injuring verbal statement.

2. Libel: personally injuring written statement of one's character.

3. Malice: Deliberate action with the intent of harm Standard required to prove slander and libel *Not on this unit*

1st Amendment: Right to Assemble Peaceably

People have the right to assemble peaceably in groups and voice their complaints provided the assembly does not violate the rights of any individual.

1st Amendment: Right to Petition the Government

People have the right to ask the government to correct a problem provided it is done appropriately. Written form is usually the most appropriate.

Vocabulary

1. Petitioning: Asking people in power for some favor or right for your group or for yourself.

2nd Amendment: Right to Bear Arms

Citizens have the right to own weapons in defense of their home.

Critical Thinking

Why is the 2nd Amendment controversial? “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.”

Controversy: Did this mean that people have the right to own a weapon, no questions asked? Did this mean that people can own a weapon for the purpose of defending their state as part of their militia?

3rd Amendment: No Quartering of Soldiers

The government does not have the power to order soldiers to be stationed in private homes.

Vocabulary

1. Quartering: the assignment of quarters to soldiers in people's homes.

4th Amendment: Protection Against Illegal Searches and Seizures; Right to Privacy

leave space for vocab

The people, their homes, and their property are safe from unfair searches. A person and the things he or she owns cannot be taken away except through due process of the law. Before seizing evidence or people a search warrant or arrest warrant must be given by a court.

4th Amendment: Protection Against Illegal Searches and Seizures; Right to Privacy

Vocabulary

1. Warrant: a document issued by a court giving the police the right to make a search, an arrest, or seize property.
2. Exclusionary Rule: Evidence obtained without a warrant are excluded from a trial
3. Probable Cause: Standard required for an officer to arrest, search or receive a warrant
4. Reasonable Suspicion: A lesser standard that can be used when an officer believes that an criminal act is about to or has taken place

5th Amendment: Rights of the Accused

1. Protection of Life, Liberty, or Property/ Right to Due Process of Law (definitions on next slides)
2. Right to a Grand Jury Indictment
3. Protection from Double Jeopardy
4. Protection Against Self-Incrimination
5. Eminent Domain

5th Amendment: Rights of the Accused

1. Protection of Life, Liberty, or Property/ Right to Due Process of Law

Before the government can deprive a person of life, liberty, or property, the government must apply the regular administration of laws, which must conform to the generally accepted legal principles and be applied without favor or prejudice to all citizens.

5th Amendment: Rights of the Accused

2. Right to a Grand Jury Indictment

In a felony case, the accused has the right to be indicted by a special jury called a Grand Jury.

Vocabulary

1. Grand Jury: a group of 12 to 23 citizens who decide if there is enough evidence against someone to hold a trial.

2. Felony: a crime, such as murder or burglary, that usually carries a sentence of more than one year.

5th Amendment: Rights of the Accused

3. Protection from Double Jeopardy

A person cannot be tried a second time for the same crime once he has been acquitted.

Vocabulary

1. Acquit: to declare not guilty of a crime or offense.

5th Amendment: Rights of the Accused

4. Protection Against Self-Incrimination An accused person cannot be forced to give evidence that would convict them of the crime.

Vocabulary

1. Incriminate: to accuse of or indicate involvement in a crime.

5th Amendment: Eminent Domain

5. Eminent Domain Government has the right to take private property for public use if it pays fair compensation.

6th Amendment: Rights of the Accused – Criminal Cases

1. Right to a Speedy Trial
2. Right to a Trial By Jury of Peers in Criminal Cases
3. Right to Cross Examine Witnesses
4. Right to an Attorney

Vocabulary

1. Criminal Case: Involves violations of the laws

6th Amendment: Rights of the Accused – Criminal Cases

1. Right to a Speedy Trial

Anybody accused of a crime has a right to have a trial without having to wait for very long. Federal law has set the maximum waiting period to be 100 days between the arrest and the start of the trial.

6th Amendment: Rights of the Accused – Criminal Cases

2. Right to a Trial By Jury of Peers in Criminal Cases

A person accused of a crime is entitled to a trial by a fair jury that consists of members of his/her peer group.

6th Amendment: Rights of the Accused – Criminal Cases

3. Right to Cross Examine Witnesses

In one's own defense, the accused is allowed to question witnesses brought by the accuser and is also allowed to bring witnesses on his own behalf.

Vocabulary

1. *Adversarial System: In our legal system the defendant can face their accuser and challenge the allegations made against him.

6th Amendment: Rights of the Accused – Criminal Cases

4. Right to an Attorney

Everybody standing trial for a criminal act is allowed to have somebody knowledgeable of the laws defend him or her. This person is usually a lawyer, or attorney.

7th Amendment: Rights of the Accused – Civil Cases

1. Right to a Trial By Jury of Peers in Civil Cases Exceeding 20 Dollars.
2. Right to Due Process in Civil Cases

Vocabulary

1. Civil Case: When no law has been broken but one person believes another has caused them harm.

7th Amendment: Rights of the Accused – Civil Cases

1. Right to a Trial By Jury of Peers in Civil Cases Exceeding 20 Dollars.

Where a civil suit is brought before the courts worth more than \$20 the defendant is entitled to a trial before a jury of his peers.

7th Amendment: Rights of the Accused – Civil Cases

2. Right to Due Process in Civil Cases

Due Process applies to civil cases as well, especially with regard to double jeopardy.

8th Amendment: Rights of the Accused – Penalty Protections

1. Protection from Cruel and Unusual Punishment
2. Protection from Excessively High Fines
3. Protection from Excessively High Bail

8th Amendment: Rights of the Accused – Penalty Protections

1. Protection from Cruel and Unusual Punishment

Punishments may not be applied to people found guilty of a crime if they are extreme, cruel, or unnecessarily violent or harsh.

8th Amendment: Rights of the Accused – Penalty Protections

2. Protection from Excessively High Fines

A fine must fit the weight of the crime.

8th Amendment: Rights of the Accused – Penalty Protections

3. Protection from Excessively High Bail

A person's bail should fit the weight of the crime the person is being accused of in accordance to the defendant's past record.

Vocabulary 1. Bail: property or money given to make sure that a person released from legal custody will return at an appointed time.

9th Amendment: Powers of the People

All people have natural rights. This Amendment makes clear that all the rights that were not mentioned in the Constitution were still protected.

10th Amendment Reserved Powers

All powers not delegated to the federal government nor denied to the states are reserved to the states or to the people.

13th Amendment

Protection against slavery ›

Any form of slavery or forced labor is outlawed and is criminally punishable.

Except...

[13th](#)

14th Amendment

Equal Protection Amendment

1. Protection Against Discrimination under the law › After defining citizenship as anyone “born or naturalized in the United States,” it guarantees everyone meeting this criterion to have “equal protection of the laws.”

2. Protection from the States › States are required to defend and protect citizens natural rights as vigilantly as the national government