



Citizens Together

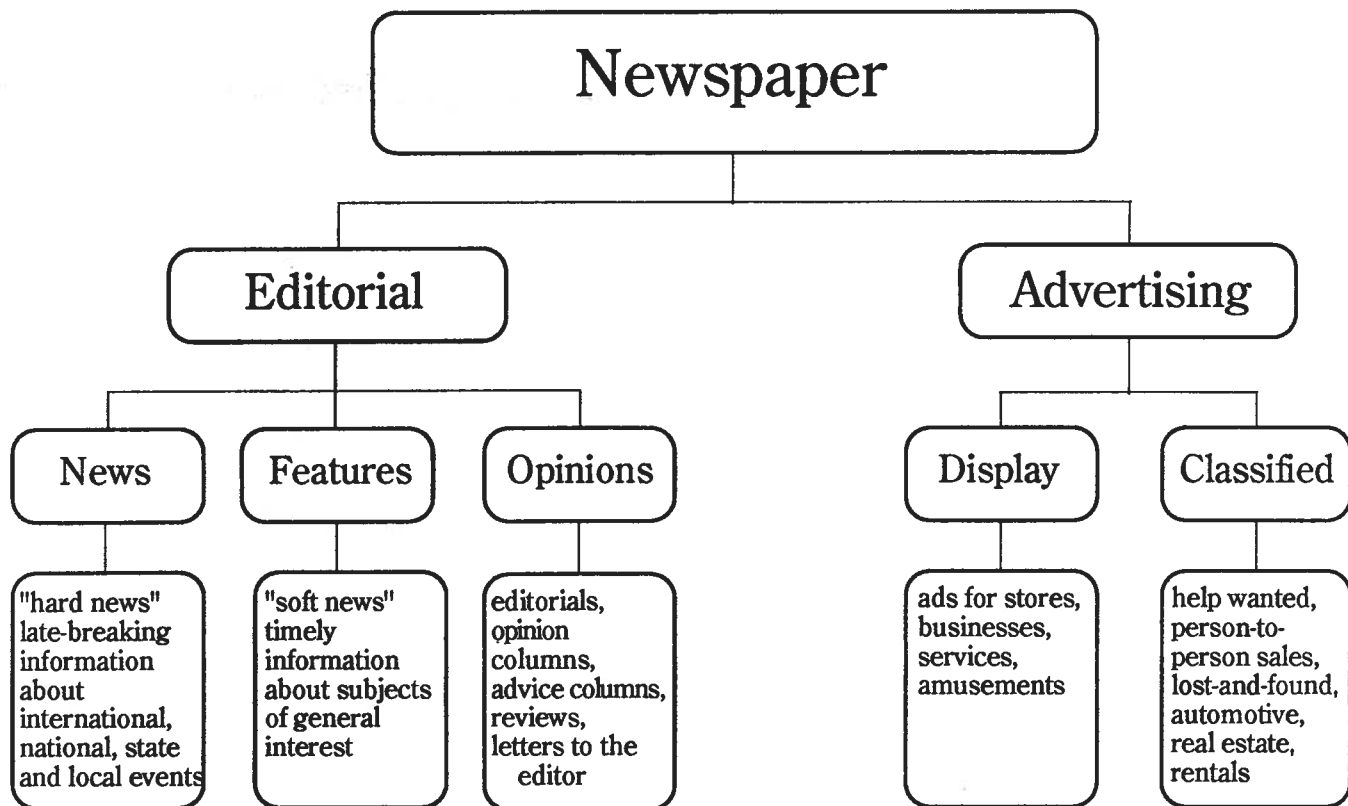
You and Your Newspaper Student's Guide for Newspaper in Education Week

Sherrye Dee Garrett, Ed.D.
Newspaper in Education Coordinator
Lancaster (Pa.) Newspapers, Inc.

Beverly S. Morrison, Ph.D.
Program Specialist, Elementary Language Arts
Fairfax County (Va.) School District

Co-sponsored by the
American Newspaper Publishers Association Foundation
and the International Reading Association

The Structure of the Newspaper



News section — the news section is where you will find the first reports of situations that challenge the Bill of Rights. Look for articles about (a) laws passed by local, state or national legislatures (b) actions by individuals or groups that are designed to limit the rights of others - such as censorship, picketing offices or buildings (c) protest activities, such as burning the flag, candlelight vigils outside of government sites (d) high-interest trials (e) jury decisions and sentences (f) changes in gun control laws and subsequent lobbying efforts.

Feature stories — features focus on human interest aspects of individuals or groups that may be trying to affect legislation or public opinion. Look for interviews with activists or background stories on special groups, such as organizations to protect the environment, citizens' committees to influence lawmakers, animal rights activists, etc. You may find feature stories about alternatives to jail sentences, such as community service hours or rehabilitation programs.

Opinions — the editorial pages provide a wide selection of opinion writing. Look for editorials that present the newspaper's view, op-ed articles that disagree with the editorial view, opinion pieces from political columnists, letters to the editor from concerned readers, and editorial cartoons.

Display ads — these ads for goods and services reflect the diversity of the community and the results of a free enterprise system. Newspapers welcome the advertising of reputable businesses. Look for display ads purchased by special groups to promote their viewpoints. Pay attention to the display ads from organizations promoting special programs or events.

Classified ads — the classified ads represent people-to-people communication about goods and services. Individuals can talk to other members of the community for a small fee. The classified section is a modern version of the town crier.

The Bill of Rights

1791

- | | | |
|-------------|---|---|
| I | 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. | Freedom of religion, speech, press; right to assemble and petition the government |
| II | 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. | Right to bear arms |
| III | 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. | Citizens not required to house soldiers in peacetime |
| IV | 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. | Protection from unreasonable searches and seizures |
| V | 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 time of war or public danger; nor shall any person be subject for the same offense 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. | Right to grand jury process; freedom from self-incrimination and double jeopardy |
| VI | 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 for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. | Right to a speedy and public trial; right to an attorney; right to face accusers |
| VII | In suits at common law, where the value in controversy shall exceed \$20, 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 common law. | Right to a jury trial in civil suits |
| VIII | Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. | Protection from excessive bail, cruel and unusual punishment |
| IX | The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people. | Rights not restricted to those enumerated in the Constitution |
| X | 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. | Rights reserved for the states |

Lesson 1: Your Right to Know

Context

"Not for its own sake alone, but for the sake of society and good government, the press should be free. Publicity is the strong bond which unites the people and their government. Authority should do no act that will not bear the light." James A. Garfield, 20th President of the United States

The founding fathers believed in the ability of the people to make rational decisions when sufficient information was provided. Newspapers provide a free flow of information so citizens can make reasoned decisions about themselves and their government. The newspaper also plays a special role as the public's watchdog. The press reports on the actions and decisions of government at local, state and federal levels. James Madison said that "the censorial power is in the people over the Government, and not in the Government over the people." The press is free to report all the news about government actions and decisions — flattering and unflattering. In 1791, the "press" consisted of newspapers and pamphlets. Later, the courts applied First Amendment freedoms to radio and television and movies. Now we are grappling with the First Amendment as it applies to computer software, electronic data transmission, etc.

Purpose

1. Locate sections in a newspaper.
2. Retell content of a newspaper item.
3. Discuss the value of a free press in a free society.

Learning Activities

1. Write the following statement by Abraham Lincoln on the chalkboard: "Let the people know the facts and the country will be safe." Lead students in a discussion about the types of "facts" Lincoln may have been referring to in the quote. Make a list of the major points on the chalkboard as they are discussed.
2. Distribute newspapers to students. For younger students, you may want to use one newspaper for every two students.
3. Have students complete the *Your Right to Know* worksheet. Students working with Level I or II worksheets may work best in pairs. Students using Level III worksheets may work individually or in pairs.
4. After students have completed their work, ask them to talk about the activities. Discuss the newspaper's role in a free society: Newspapers tell people what is going on in the community and in local, state and national government agencies. When the people know what is happening, they can make better decisions about their own lives; they can be sure their elected leaders are acting in the best interests of the people.

Follow-up Activities

Ask students to work in pairs to discuss any of the following quotations. What does the quotation mean today? Students should be prepared to use examples from the newspaper to support their thinking. When the pairs have finished their discussion, ask several students to share their thoughts with the class. Then discuss as a class the implications of one quotation for all of the class members. (Note: number of stars indicates suggested level for discussion.)

- ☆ "A good newspaper, I suppose, is a nation talking to itself." (Arthur Miller, playwright)
- ☆ "When the press is free and every man able to read, all is safe." (Thomas Jefferson, third President of the United States)
- ☆☆ "Newspapers are the schoolmasters of the common people. That endless book, the newspaper, is our national glory." (Henry Ward Beecher, 19th century clergyman)
- ☆☆ "If all printers were determined not to print anything till they were sure it would offend nobody, there would be very little printed." (Benjamin Franklin)
- ☆☆☆ "Were it left to me to decide whether we should have government without newspapers or newspapers without government, I should not hesitate for a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them."
(Thomas Jefferson, third President of the United States)
- ☆☆☆ "A free press is essential to us as a people and to the maintenance of our form of government."
(Franklin D. Roosevelt, 32nd President of the United States)



Your Right to Know

Before You Read

You need to know: The First Amendment of the Bill of Rights says that newspapers are free to print information. Your newspaper prints information about where you live.

Using the newspaper: What kind of information do you think your newspaper should print? Talk with a partner about what you think. Write your ideas here:

I think the newspaper should print information about:

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

While You Read

With your partner look through your newspaper. Can you find any of these? Write down the page number where you found it:

Can you find:	Page
Information about sports	_____
A map	_____
An ad for food	_____
An article about your town or city	_____
A picture	_____
A crossword puzzle	_____
An ad for clothing	_____
Information about TV programs	_____
Information about a job	_____

After You Read

Choose one of the things you found in your newspaper that you think is interesting. With your partner, read as much about it as you can. What did you learn? Write what you learned here:





Your Right to Know

Before You Read

The First Amendment of the Bill of Rights guarantees Americans freedom of the press. This means Americans are able to read information about almost any subject in newspapers, magazines and books.

Information in the newspaper is printed in sections. You are probably familiar with the Comics and Sports sections. What are some other sections you would expect to find in your newspaper? Take two minutes to think of some of these sections and write them here:

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

While You Read

With a partner, look through your newspaper. How many sections that you listed can you find? Next to each section you predicted, write the page number where you found it. With your partner, choose one section that you think is especially interesting. Choose one article and read it carefully.

After You Read

A good newspaper article presents information very clearly. Can you identify the important information in the article you read? Write it here:

Who is the article about? _____

What is the article about? _____

Where did the action take place? _____

When did the action take place? _____

Why is the information important? _____

With your partner, think of one interesting or important thing that happened in your class this week. Write about it. Be sure to include all the important facts about it. After you have finished writing the article, share it with others in your class. Does the class have enough articles to prepare a newspaper for this week?





Your Right to Know

Before You Read

Newspapers are independent of government control. The founding fathers of this country guaranteed freedom of the press in the Bill of Rights so that the press could serve as the "public's watchdog." They wanted citizens to know what the government was doing at all times. That way, the people could make better decisions about whom to vote for and which issues to support.

Think about decisions the government might make that will affect its citizens. List some of the possibilities below:

While You Read:

Locate newspaper stories about local, state or national government actions or decisions. Compare the stories with your predictions above. Put a check (✓) by any topics you identified. List any topics you had not identified below:

Compare your lists with those of several other students. Together, select stories about each of the levels of government listed below. Explain why it is important for citizens to know about the news reported in the stories.

Government official or group	Which story?	Why citizens should be informed
National elected official (The President or a member of Congress)		
State elected official (The governor, state lawmaker)		
Local elected official (Mayor, city council representative, etc.)		
Local governmental group (Zoning commission, waste authority)		
Tax supported service agency (Human service agencies)		

After You Read

Look at the information on your chart. Which of the articles is most important to you as a citizen? Discuss your ideas with another student.

Lesson 2: Your Right to Express Your Opinion

Context

"An unconditional right to say what one pleases about public affairs is what I consider to be the minimum guarantee of the First Amendment." Hugo LaFayette Black, Supreme Court Justice

The founding fathers believed that freedom of speech was essential in a democracy. Citizens had to have the right to criticize and challenge the government. This freedom would help people advance knowledge and reveal truth, especially in the arts and sciences. The newspaper serves as a "marketplace of ideas." People can publish newspapers to promote their own views. Members of the community are provided a forum to express their viewpoints in letters to the editor or op-ed sections of newspapers. Often, opinions differ and the issues are emotional and people can easily be divided. It is important to remember, therefore, that freedom of speech means allowing all opinions to be heard, whatever they might be.

The Supreme Court also has recognized and allowed "symbolic speech" such as wearing armbands or burning the flag as expressions of political protest. Still, not all speech is protected; speech can be punished if it incites or produces imminent lawless action or is likely to incite or produce such action.

Purpose

1. Read about a controversial issue in the newspaper.
2. Write their opinions about a topic of choice.

Learning Activities

1. Introduce the concept of freedom of speech. Guide students to develop definitions for the terms "opinion" and "editorial." Write their suggestions on the chalkboard.
2. Distribute newspapers to students. For younger students, you may want to use one newspaper for every two students.
3. Have students complete the *Your Right to Express Your Opinion* worksheet. Students working with Level I or II worksheets may work best in pairs. Students using Level III worksheets may work individually or in pairs.
4. After students have completed their work, have them discuss the activities.

Follow-up Activities

Levels I and II

Create a classroom bulletin board where students' letters or editorials are displayed. Encourage students to read what their classmates have written. A suggested title for the bulletin board might be "We Celebrate Our Freedom of Speech."

Level III

1. After students have finished the worksheet, make a list of the controversial issues they have identified.
2. Have students work in small groups to discuss how Black or Holmes (quotations below) might react to any of the identified issues.

"My view is, without deviation, without exception, without any ifs, buts, or whereases, that freedom of speech means that you shall not do something to people either for the view they have or the views they express or the words they speak or write." (Hugo LaFayette Black, Supreme Court Justice)

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic...The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that will bring about the substantive evils that Congress has a right to prevent." (Oliver Wendell Holmes, Supreme Court Justice)



Your Right to Express Your Opinion

Before You Read

You need to know: The First Amendment of the Bill of Rights says that people are free to say what they think.

Using the newspaper: Your newspaper prints letters that people write about what they think. You find these letters in the newspaper in a special section. The section may be called "Letters to the Editor" or "Reader's Forum" or "Our Readers Write" or something similar. The editor is the person who decides what will be printed in the newspaper. Find the newspaper section where people write letters.

While You Read

With a partner, read the letters you found. Ask your teacher for help if you need to. What subjects did people write to the editor about? With your partner make a list here of what people wrote about.

People wrote about:

1. _____
2. _____
3. _____

After You Read

What are some things boys and girls in your class could write a letter about? With your partner make a list of what you could write about. You might think of important things happening now in your community. Or you might list things that are happening in your school or your classroom.

We could write about:

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Now choose one of the subjects you wrote on your list. What do you think about that subject? Why do you think that? Write your own letter explaining what you think and why. When you finish your letter, share it with others in your class.





Your Right to Express Your Opinion

Before You Read

The First Amendment of the Bill of Rights guarantees that all Americans have the right to say what they think about any subject.

The editor prints the newspaper's opinions on the editorial page. The newspaper also prints what other people in the community are thinking in a letters-to-the-editor section.

What topics do you think the editor might write about? What are other people in the community thinking about? Meet with two or three other people in your class to talk about these topics. Make a list of the things you predict:

What the newspaper editor might write about:

What other people in the community might write about:

While You Read

Read the editorial and letters-to-the-editor section of your newspaper. Think about the topics your group predicted.

Talk with the other students in your group about what you read in the newspaper. Were your predictions correct?

- yes
- sometimes
- no

If you read about something you predicted, put a check mark (✓) next to it on your list. If you read about topics you did not predict, write the topics here:

Topics we did not predict:

After You Read

Choose one topic from any of the the lists your group has made. On a separate sheet of paper, write your own editorial about that topic. Remember, an editorial is where you write your opinions about a subject. Be sure your editorial contains each of the elements below. Check your finished editorial to see if you have included each element.

- A headline for your editorial
- Your opinion in one or more sentences
- The reasons for your opinion in several sentences
- Your recommendations for action



Your Right to Express Your Opinion ████████████████████

Before You Read

The First Amendment guarantees that citizens may express their opinions on any subject without fear of punishment. Popular and unpopular beliefs are protected. The framers of the Constitution believed that a democracy could best survive when there was a free flow of information. The newspapers serve as a "marketplace of ideas." If citizens hear all the information about a wide range of opinions, they can make up their own minds about important issues.

List some current controversial topics — issues on which people have divided and strong opinions.

While You Read

Follow a controversial issue in the newspaper. Identify the arguments for each side. Then decide — with which position do you agree? Why?

What is the issue?

Arguments supporting the issue	Arguments opposing the issue

Write your opinion here: _____

After You Read

Discuss your opinion with several other students in your class. Identify the points on which you agree and those on which you disagree. Write a letter to your school newspaper expressing your opinion.

Lesson 3: Your Right to Assemble

Context

"If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought — not free for those who agree with us, but freedom for the thought we hate." Oliver Wendell Holmes, Supreme Court Justice

The First Amendment guarantees citizens the right to assemble — to meet in groups — to urge some action from the government. First Amendment scholars agree that the right to form, join, or participate in an association is an essential part of freedom of expression. Today, sometimes the only way an individual can be heard effectively is through membership in an organization. These organizations also provide their members with access to information or provide forums for developing and testing ideas. Generally, the courts have found that organizations cannot be constrained because of their ideas or doctrines. However, organizations are subject to legal constraints if they participate in unlawful behavior or advocate immediate acts of overt violence. The First Amendment protects all organizations, even those that may be extremely unpopular, such as the Nazi Party, Ku Klux Klan or the Communist Party. In the early 1960s, Supreme Court Justice Hugo Black stated that he would allow these groups to advocate their beliefs publicly and openly among U.S. citizens "with full confidence that the people will remain loyal to any democratic government truly dedicated to freedom and justice — the kind of government which some of us still think of as being 'the last best hope of earth.'"

Purpose

1. Identify groups whose members share common interests.
2. Describe how groups influence the government.

Learning Activity

1. Ask students to name groups that form because of the common interests of their members. Encourage them to think of local and national groups. Examples might be a political party, an environmental action group or a citizens' group opposing a local ordinance or school board action. Write student responses on a chalkboard.
2. Distribute newspapers to students. For younger students, you may want to use one newspaper for every two students.
3. Have students complete the *Your Right to Assemble* worksheet. Students working with Level I or II worksheets may work best in pairs. Students using Level III worksheets may work individually or in pairs.
4. After students have completed their work, ask them to discuss the activities.

Follow-up Activities

1. Have students identify the advantages and disadvantages of joining a group to make a political statement or advocate a legislative action.
2. Have students identify a situation they would like to see changed in the school or the local community. Have them outline the steps they would take to form an organization and present their ideas to the appropriate government body.



Your Right to Assemble

Before You Read

You need to know: The First Amendment of the Bill of Rights says that people are free to hold meetings or join groups. Groups of people can tell the government they want something changed.

Using the newspaper: Your newspaper prints information about people meeting together — clubs, organizations and political parties. Find a newspaper story about a group of people holding a meeting.

While You Read

With a partner, read the newspaper pages you found that tell about a special group in your community.

Write the name of the group here: _____

What is the purpose of the group? Write what you found here.

After You Read

Think about what you read. What did you learn about special groups in your community? Write what you learned here:





Your Right to Assemble

Before You Read

The First Amendment of the Bill of Rights says that people are free to meet together to discuss ideas and to protest government actions. Sometimes people have more influence on the government if they belong to an organization of some kind. Political parties, unions and environmental action groups are examples of organizations that try to change government laws or regulations.

Your newspaper prints information about citizens' groups. Sometimes these groups put ads in the newspaper explaining their positions on political issues.

While You Read

With a partner, read several newspaper articles and advertisements that tell about organizations in your community. What different groups are active in your community? Write the names of three different groups in the chart below. What does each group want the government to do? What is your opinion about the group?

Name of the group	What the group wants the government to do	Your opinion

After You Read

Think about what you read. How do different citizens' groups make your community or your country a better place? Discuss your ideas with a partner. Then write your ideas below.



Your Right to Assemble

Before You Read

The First Amendment guarantees each citizen the right to meet together to discuss ideas and to protest government actions. Many organizations form because people are interested in the same cause, such as preventing offshore oil drilling, developing nuclear power, protecting residential communities from industrial development, supporting a candidate for an election. Many citizens feel their influence is stronger if they are part of an organized group of citizens seeking the same political objective.

List four groups you know that try to influence the local, state or national government.

While You Read

In your newspaper, find examples of people meeting to support a common cause. Identify the group, write a sentence describing the cause and explain the government action the group is trying to influence. Then write your opinion on the issue.

Name of group	Special concern	What the group wants the government to do	Your opinion

After You Read

What do your findings say about the diversity of groups in your community? How do these groups improve our society and guarantee that the government is responsive to the people?

Lesson 4: Your Rights in a Trial

Context

"A responsible press has always been regarded as the handmaiden of efficient judicial administration, especially in the criminal field... The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police, prosecutors and judicial processes to extensive public scrutiny and criticism." Tom C. Clark, Supreme Court Justice

The Bill of Rights sets up many safeguards for citizens in the legal system. Amendments V, VI and VIII protect the individual accused of a crime. A capital crime requires an indictment from a grand jury made up of citizens; criminal prosecutions require a trial by a jury. The right to a speedy trial guarantees that the government cannot lock someone up for years awaiting a trial — a practice in some countries without this constitutional protection. The Sixth Amendment prevents the government from misusing its power by allowing citizens to have legal counsel. It was much later that this right was extended so that citizens unable to pay for an attorney were provided with an attorney paid for with public money. The Bill of Rights recognizes that the government has unlimited resources and power to bring against a single citizen. That citizen must be protected from any undue government persecution or prosecution.

The freedom of the press guaranteed by the First Amendment also works to safeguard citizens' interests in legal proceedings. The public interest is protected when newspapers disclose any improper methods used by the police in arrests and investigations. There is occasional conflict between Amendments I and VI, however. Some defense attorneys argue that pre-trial publicity about a case may prevent a defendant from receiving a fair trial. That argument has not been supported in most cases. When the courts have a serious concern about pre-trial publicity, a change of venue may be ordered so that the trial takes place in a location away from its original site, somewhere where prospective jurors have not read about the case.

- Purpose**
1. Identify key elements and people in a trial.
 2. Retell information about a criminal trial in a newspaper.
 3. Examine the relationship between the press and the legal system.

Learning Activity

1. Ask students if they have ever seen a portrayal of a trial on television or in a movie. Have them identify the people they would see at a trial. Ask students to tell what they know about what happens in a trial. Write their responses on a chalkboard.
2. Distribute newspapers to students. For younger students, you may want to use one newspaper for every two students.
3. Have students complete the *Your Rights in a Trial/Legal System* worksheet. Students working with Level I or II worksheets may work best in pairs. Students using Level III worksheets may work individually or in pairs.
4. After students have completed their work, ask them to discuss the activities.

Follow-up Activities

1. Explain to students that newspapers tell their readers about trials. Newspapers provide a lot of information if the trial is a local one or involves a prominent person in the community. Discuss the newspaper's role: The newspaper watches to see that all the officials in a trial are doing their jobs properly and the accused citizen is being treated fairly.
2. Have students consider how a defendant might be treated in a country without the protections listed in the Bill of Rights. How might the government act differently?
3. Have students discuss the following questions in pairs or small groups. As a class, discuss the responses.
 - How could a citizen be protected if there were no press to report on trial procedures?
 - What guarantees would you put in place to ensure a fair trial?



Your Rights in a Trial

Before You Read

You need to know: The Bill of Rights protects people who have been accused of committing crimes. People who are accused of a crime have a right to a fair trial. They have a right to have a lawyer help them. They have the right to see the people who are accusing them of the crime. And if they are found guilty, the Bill of Rights assures them of fair punishment.

Using the newspaper: Your newspaper prints information about people who are accused of crimes. Look through your newspaper to see if you can find an article about a trial, a lawyer or a witness (A witness is someone who can give information at the trial).

While You Read

With a partner read one of the newspaper articles that you found about a trial, lawyers or witnesses. Ask your teacher for help if you need to. What did you learn? Write what you learned below.

What is the trial about? _____

Who are the people in the trial? _____

What else did you learn? _____

After You Read

When someone in your class is accused of doing something wrong, what happens? Talk with your partner about what happens. Write about that below.

After you have finished writing, share what you have written by reading it to a friend.





Your Rights in a Trial

Before You Read

Amendments V and VI of the Bill of Rights protect a person who is accused of a crime. The person has the right to a trial by a jury. The person has a right to a speedy and public trial. The person is entitled to see the people who are accusing him or her of a crime. If he or she is convicted of the crime, the person is entitled to a fair punishment under Amendment VIII.

The newspaper prints stories about local, state and national trials. Locate a story about a trial.

While You Read

Read your newspaper article with a partner. See if you can find the following information about a criminal trial. Write your answers below.

The **crime** — what the person is accused of doing.

The name of the **defendant** — the person accused of the crime.

The name of the **defense attorney** — the attorney who speaks for the defendant.

The name of the **prosecutor** — the attorney who presents the evidence against the defendant.

Where will the trial take place?

When will the trial take place?

After You Read

You have rules in your classroom and in your school. What happens if a student breaks one of these rules? How does this differ from an instance when someone breaks a law? Discuss these questions with a partner. Write your ideas below.

Share your writing with other students in your class.



Your Rights in a Trial

Before You Read

Amendments V and VI of the Bill of Rights provide protection for any citizen accused of a crime. The accused person has the right to a trial by jury; it must be a speedy and public trial; the individual is not required to testify; the individual has the right to have legal representation. And Amendment VIII ensures the punishment must not be "cruel or unusual" should the person be convicted.

The newspaper reports on trials at all levels of government — local, state and federal. Locate information about a pending trial or an ongoing trial in your newspaper.

While You Read

Read all the information you can find in the newspaper about a criminal trial. Identify the key elements and people in the trial and explain the trial's importance below.

Level of trial: local, state or federal? _____

Name of the accused: _____

Alleged crime: _____

Name of defense attorney: _____

Name and title of prosecuting attorney: _____

What impact will the outcome of this trial have on the community or the country?

Why is the trial important to readers of your newspaper?

After you read

One responsibility of our judicial system is to see that defendants are properly treated and fairly tried. The press' role helps to ensure that prosecutors and judges act responsibly and fulfill their duty to the public.

Consider the news coverage of the trial you've just read about. How has the press fulfilled its role in this trial? Discuss the idea with several classmates. Write your reactions below.

Lesson 5: Your Right to Be Secure

Context

"The poorest man may in his cottage bid defiance to all the force of the Crown..."

William Pitt the Elder

Our constitutional protection against unreasonable searches and seizures has its beginnings in English history. In 1763, William Pitt the Elder led an impassioned defense of the sanctity of each citizen's home. The intrusive practices of British governors were fresh in the memories of the men who established the U. S. Constitution, so they designed legal protections to protect citizens' privacy. Private property is not always a refuge, but police and other officials must secure a judicial warrant based on probable cause or they must justify a search on other grounds. In recent years, the arguments against government searches have been extended to an individual's person. Issues of personal invasion, such as mandatory drug tests or lie detector tests, have been challenged under the Bill of Rights.

- Purpose**
1. Locate information about legal searches.
 2. Identify the elements in a search warrant.
 3. Explain the value of protection from illegal searches.

Learning Activity

1. Ask students to pretend that the police think the students have something illegal in their homes — stolen property, illegal drugs or firearms. What do they think the police have to do in order to search their homes? Write responses on the chalkboard. Then lead students through the steps required by law for a search warrant; mark correct student responses as you explain. The steps are: the police have to have evidence that suggests illegal items are in the house; they present the evidence to a judge and ask the judge to issue a search warrant; the search warrant has to state what the police expect to find and where they will search; the judge issues the search warrant if the evidence is sufficient.
Note: Don't be surprised if students are fairly knowledgeable about search warrants. They may have prior experience from television or movies about crime, police work and courtroom procedures.
2. Distribute newspapers to students. For younger students, you may want to use one newspaper for every two students.
3. Have students complete the *Your Right to Be Secure* worksheet. Students working with Level I or II worksheets may work best in pairs. Students using Level III worksheets may work individually or in pairs.
4. After students have completed their work, ask them to discuss the activities. Discuss the newspaper's role: It makes searches and seizures public so that citizens can be sure that the government's agents are acting lawfully and that citizens' rights are not being violated.

Follow-up Activity

Have students discuss the following situation in pairs or small groups. Then, as a class, write a set of recommendations on the chalkboard.

The government has a legitimate right to search people and property under appropriate circumstances. Many times, police find what they are looking for. Sometimes, however, the police make a mistake and search the wrong person or house. What should the government do if it frightens innocent citizens or damages property in an erroneous search?



Your Right to Be Secure

Before You Read

You need to know: The Fourth Amendment of the Bill of Rights says that the government cannot search you or your home just because it decides to. First the police must get permission from a judge to search. They can ask for permission only if they have a good reason to think you have done something wrong. Only a judge may decide whether or not to give them a search warrant.

Using your newspaper: Your newspaper prints information about searches. Look through your newspaper to see if you can find an article about a warrant or a search.

While You Read

With a partner, read the article you found. Ask your teacher for help if you need to. What are the important facts? Write them here.

What were the police looking for? _____

Where did the police search? _____

Who owned the place where they searched?

Who gave the police permission to search?

After You Read

Think about what the Fourth Amendment says — that the police must have a search warrant before they can enter your home. Why is this important? Why do you think it was included in the Bill of Rights? Talk with your partner about this. Write your ideas here.

When others in your class have finished writing their ideas, talk about what you think. Does everyone have the same ideas? Did you think of something new after the class shared? If you did, write it here:





Your Right to Be Secure

Before You Read

The founding fathers of our country believed that citizens should be secure in their homes and property. The police, who are part of the government, may not search people or their homes or take their property without good reason. If the police feel they have a good reason to search someone's property, they must first get a search warrant from a judge. The judge must be convinced that the police have a good reason before a warrant is issued.

The newspaper reports stories about police searches. Locate a story in your newspaper about a police using a search warrant or seizing someone's property.

While You Read

Read the newspaper story about a police action involving the searching or seizing of someone's property. List the facts below.

What were the police searching for? _____

Where did they search? _____

Who issued the warrant for the search? _____

Who owned the property that was searched? _____

What happened to the property owner as a result of the search? _____

How did the search/seizure help protect the community? _____

After You Read

Think about the protection you have because of the Fourth Amendment. How would life be different if the police did not need a search warrant to enter your home? Why do you think the protection was included in the Bill of Rights? Discuss your ideas with a partner. Write your ideas here.

When you have finished writing your ideas, share them with others in your class. Did anyone have ideas different from yours?



Your Right to Be Secure

Before You Read

The Fourth Amendment of the Bill of Rights protects citizens from unreasonable searches and seizures by the government. The individual's right to privacy in his or her home became one of the essentials of our constitutional system. The police, who are part of the government, may not search an individual or an individual's home without a search warrant granted by a judge. The judge will not issue a warrant unless the police can produce evidence or "just cause" for the search. The warrant must specify the place to be searched and what the police expect to find. Protection is not limited to a person's house; it extends to other sites such as business offices, cars, boats, etc.

The newspaper reports stories about police searches for evidence or illegal items such as drugs, drug paraphernalia or illegal firearms, among other things. Locate a news story about a police search.

While You Read

Read a newspaper story about a police action involving a search/seizure operation. List the information below.

What was the object of the search? _____

Where did the search occur? _____

What crime was alleged? _____

Who owned the property that was searched? _____

What was the result of the search? _____

How did the search/seizure help protect the community? _____

After You Read

Think about the protection guaranteed by the Fourth Amendment. Why do you think the protection was included in the Bill of Rights? Discuss your ideas with a partner or in a small group. Write your ideas below.

