The Bill of Rights and Supreme Court Cases Project

Government Curriculum Objective:
Assess the role of the United States Government in defining and protecting Civil Rights
Understand why the Bill of Rights was written and how it was intended to limit the federal government
Explain why some of the Bill of Rights has been incorporated

21st Century Learners Objectives:
Learning and Innovation Skills
- Use a wide range of idea creation techniques
- Elaborate, refine, analyze, and evaluate their own ideas in order to improve and maximize creative efforts

Information, Media, and Technology Skills
- Access and Evaluate Information critically and competently
- Use information accurately and creatively for the issue
- Understand and effectively utilize the most appropriate expressions and interpretations in diverse, multi-cultural environments
- Use technology as a tool to research, organize, evaluate, and communicate information

Project Managing Skills
- Prioritize, plan, and manage work to achieve an intended result

Purpose: The purpose of this project is to research and synthesize information about the first 10 Amendments (Bill of Rights) and the Supreme Court cases that have challenged those Amendments/rights. Specifically, you will be addressing the 1st (freedom of speech) and 4th (search and seizure laws).

Directions: You will create a Facebook profile page for two of the major defendants of landmark Supreme Court cases involving the 1st and 4th Amendments.

Supreme Court Cases to Research:

First Amendment
Schenck v. United States (1919)
Gitlow v. New York
Tinker v. Des Moines
Brandenburg v. Ohio
Cohen v. California (1971)
Miller v. California (1973)
Engel v. Vitale (1962)
Lemon v. Kurtzman (1971)

Fourth Amendment
Mapp v. Ohio
Katz v. United States
Terry v. Ohio
Tennessee v. Garner
Minnesota v. Carter
Kyllo v. United States
Horton v. California
YOU WILL NEED TO COVER THE FOLLOWING INFORMATION
- 1 landmark Supreme Court case that have dealt with the 1st and 4th Amendments
- You should include the following for each case:
  - A “Facebook Profile” page for the main defendant involved in the case that includes a status wall, personal and case information, photos, and the long term impact of the decision.
  - Use the Facebook profile template given

What you can use to help construct your project (there are additional resources):
- Chapters 19 – 21 from your textbook (p. 533 discusses civil rights and civil liberties)
- www.oyez.org
- http://www.law.cornell.edu/supct/
- http://www.landmarkcases.org/

Criteria you will be graded on:
Supreme Court case Facebook profile and opinion on the outcome
Presentation: Smooth presentation, creativity
Work in class

Ways to get an “A”
- Be creative with your cases, information, and presentation.
- Present solid content
- Use time wisely
Facebook Profile Page for 4th Amendment Supreme Court Cases

**General Research Component:**

<table>
<thead>
<tr>
<th>Content</th>
<th>Beginning: The research paper is at a beginning stage</th>
<th>Novice: The research paper may show flashes of quality, but could be improved in several ways.</th>
<th>Proficient: The research papers acceptable.</th>
<th>Exemplary: The research paper is exemplary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illustration</td>
<td>Piece is lacking information and/or information is inaccurate and irrelevant.</td>
<td>Provides basic information, some of which may be incorrect and/or irrelevant; based on minimal research.</td>
<td>Provides partially complete, accurate, and relevant information; based on adequate research.</td>
<td>Provides complete, accurate, and relevant information; based firmly on extensive and careful research.</td>
</tr>
<tr>
<td>Thinking and Communication</td>
<td>Demonstrates little understanding of the topic. Ideas are not expressed clearly or supported by examples, reasons, details, and explanations. No interpretation and analysis of the material.</td>
<td>Demonstrates some understanding of the topic, but with limited analysis and reflection. Ideas are not expressed clearly and examples, reasons, details, and explanations are lacking. Examines the issue from a single perspective.</td>
<td>Demonstrates a general understanding of the topic. Ideas are generally expressed clearly through adequate use of examples, reasons, details, or explanations. Examines the issues from more than one perspective.</td>
<td>Demonstrates in-depth understanding and insight into the issue(s) under discussion, through careful analysis and reflection. Ideas are developed and expressed fully and clearly, using many appropriate examples, reasons, details, or explanations. Examines the issue from three or more perspectives.</td>
</tr>
<tr>
<td>Illustration</td>
<td>Illustrations do not help the audience understand the content and core message(s).</td>
<td>Visuals are unrelated or offer little support of the work. Graphics, tables, charts, diagrams, pictures, and/or models are mislabeled or irrelevant.</td>
<td>The work is supported by visuals. There is some mislabeling of graphics or design mistakes (e.g., a picture is confusing because it doesn't have a caption).</td>
<td>The work is well supported by carefully illustrated and useful tables, charts, diagrams, pictures, and/or a model-all properly labeled and captioned.</td>
</tr>
</tbody>
</table>

**Critical Thinking Component:**

<table>
<thead>
<tr>
<th>Application</th>
<th>Unsatisfactory Below performance standards</th>
<th>Proficient Acceptable criteria</th>
<th>Advanced Demonstrates exceptional performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The student uses this material, understanding, and/or skill in new situations.</td>
<td>Ability to apply theories, principles, and/or skills to new situations, settings, or problems not demonstrated. Student is not able to modify theories, products, behaviors, or skills to fit new or changed environment.</td>
<td>Student demonstrates an ability to apply theories, principles, and/or skills to new situations, settings, or problems.</td>
<td>In addition to Proficient criteria: Student actively seeks new environment and situations to apply theories, principles, and/or skills. Student provides multiple examples of how theory, principles, or skill can be applied.</td>
</tr>
</tbody>
</table>

<p>| Synthesis | Synthesis does not successfully integrate ideas, images, and/or objects to form a cohesive whole. Student does not summarize his/her thinking during the process of synthesis. Combination of elements is not logical and/or verifiable. | Synthesis integrates ideas, images, and/or objects to form a cohesive whole. Student is able to summarize his/her thinking during the process of synthesis. Combination of elements is logical and justified. | In addition to Proficient criteria: Synthesis is unique. Synthesis shows careful planning and attention to how disparate elements fit together. Student is able to create new synthesis based on changing circumstances, input, or environment. |</p>
<table>
<thead>
<tr>
<th>Criteria Component:</th>
<th>Below Basic: Lacks most of the basic required elements</th>
<th>Basic: Lacks parts of the required elements</th>
<th>Proficient: All basic elements and requirements have been met</th>
<th>Advanced: Project goes above and beyond basic elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Personal Information: includes all of the correct information and is consistent</td>
<td>The information has been unchanged or a majority of it is incorrect</td>
<td>Most of the information is correct, but it may not be consistent throughout the project</td>
<td>All of the information is correct, although there may be two or less errors or inconsistencies</td>
<td>All of the information is correct and consistent through the different parts of the project</td>
</tr>
<tr>
<td>Photos: relate to the person, case, or issue at hand</td>
<td>Only a few of the photos are correct, or most of the photos are missing</td>
<td>Most of the photos are correct, or there are some photos missing.</td>
<td>There are at least 7 photos and 3 photo albums in the correct boxes and are correctly represent the case</td>
<td>The photos demonstrate extended knowledge of the topic or there may be additional correct photos</td>
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<tr>
<td>Friends: are actual Supreme Court justices or advocates from the case</td>
<td>A few of the people pictured are correct, or most of the photos are missing</td>
<td>Most of the people pictured are correct, or there are some people missing</td>
<td>There are 6 different people involved in the trial and the correct photos</td>
<td>The “Friends” list accurately reflects a variety of people involved in the trial (not just justices) and the correct photos</td>
</tr>
<tr>
<td>Status Updates: are apropos to the case and provide the viewpoints of different individuals involved</td>
<td>A few of the status updates are correct, or most of the updates are missing</td>
<td>Most of the status updates are correct, or some of the updates are missing</td>
<td>There are 6 different status updates that come from various parts of the trial process and are all correct</td>
<td>The statuses are from a variety of people involved in the case and show a deeper understanding of the events that unfolded to create the case</td>
</tr>
<tr>
<td>Basic Case Information: demonstrates understanding of what the case was about</td>
<td>A few of the pieces of case information is correct, or most of the information is missing</td>
<td>Most of the information is correct, or some of the case information is missing</td>
<td>Includes the dates argued and decided, issues, decided by, question, and decision</td>
<td>Includes all of the required elements and may include extended information about the decision, justices, or question</td>
</tr>
<tr>
<td>Impact Questions/Case Notes: provides a synthesis of opinion and information of the long-term affects of the case outcome</td>
<td>One of the questions is answered, or most of the answers are incorrect or not answered at all</td>
<td>Most of the questions are answered on the most basic level, or some of the questions are not answered</td>
<td>All 4 questions are answered very basically and does not give an extended explanation about the impact of the case on society</td>
<td>All 4 questions are answered and demonstrate extended knowledge about the long-term impact of the results of the case or arguments</td>
</tr>
</tbody>
</table>

Additional Comments:
Clarence Earl Gideon is testing his right to legal counsel

Wall Info Photos Boxes

Write something…

Clarence Earl Gideon now I get a retrial with W. Fred Turner as my lawyer!
August 5, 1963

Louie L Wainwright I can't believe you beat the state of Florida in the Supreme Court; we shouldn't have to provide you with an attorney.
March 18, 1963

Supreme Court Justice Hugo Black I am writing the unanimous opinion on your case (I think you'll be happy with the decision)!
March 17, 1963

Abe Fortas Don't worry Gideon, I am a successful Washington D.C. lawyer and am guaranteed to you by the 14th Amendment; I will help you win your case. They might even want me to serve on the Supreme Court one day!
January 15, 1963

Clarence Earl Gideon can't believe I was sentenced to 5 years in prison when my 6th Amendment right to counsel was violated. I'm going to write the Supreme Court.
August 25, 1961

Clarence Earl Gideon I don't care what Henry Cook says, I did not steal anything last night.
June 3, 1961
Clarence Earl Gideon is testing his right to legal counsel

**Personal Information**
- **Interests:** Being a drifter and in trouble with the law
- **Sex:** Male
- **Birthday:** August 30, 1910
- **Hometown:** Hannibal, Missouri
- **Relationship Status:** Married to Ruth Ada Babineaux
- **Political Views:** Democrat

**Case Basics**
- **Argued and Decided on:** January 15, 1963 – March 18, 1963
- **Issues/Legal Provision:** Criminal Procedure, Right to Counsel
- **Decided by:** Warren Court, Full Opinion by Justice Hugo Black

**Question:** Did the state court's failure to appoint counsel for Gideon violate his right to a fair trial and due process of law as protected by the Sixth and Fourteenth Amendments?

**Decision:** Unanimous 9-0 for Gideon

**Notes and Impact on Society**
- **What impact did the outcome of your Supreme Court have on society?**
  - This case established that all states had to provide legal counsel in a trial. In Florida, thousands of inmates were released because of this decision. Personally, I was able to get a retrial and was freed. In the long term, my victory expanded the role of the public defender to the point that it is exhausting the system.

- **How did the enforcement of the 6th Amendment change because of my case?**
  - The right to legal counsel no longer applied to only the federal government through the 14th Amendment, but also to the States by the 5th Amendment due process clause.

- **What arguments are there in favor of my case?**
  - The Constitution guarantees the right to counsel in the 6th Amendment. Eventually, the decision in Miranda v Arizona would make all officers of the law state all of the due process rights granted to a person being placed under arrest.

- **What arguments are there against my case?**
  - In order to receive counsel, a person had to be charged with a capital offense. Furthermore, it is too difficult to prove that someone’s due process rights have been violated. The standard of due process is very high and therefore, many people would be freed instead of convicted over something trivial. At that time, the US Constitution did not have control over states having to provide counsel to secure due process rights.
Clarence Earl Gideon is testing his right to legal counsel.

**Photos of Gideon** 7 Photos

- [Image 1]
- [Image 2]
- [Image 3]
- [Image 4]
- [Image 5]
- [Image 6]
- [Image 7]

**Gideon's Albums** 3 Photo Albums

- **The Funeral**
  - 5 photos

- **Favorite Movies**
  - 5 photos

- **Profile Pictures**
  - 1 photo