

# Interpreting the Constitution

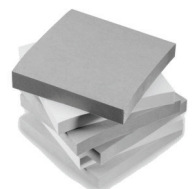
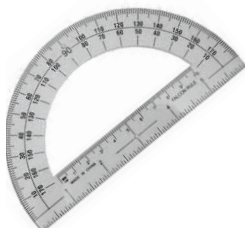
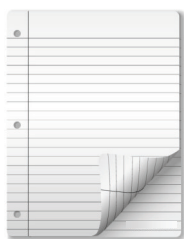
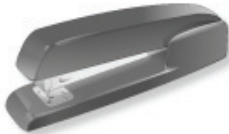
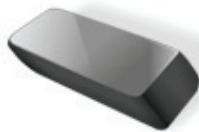
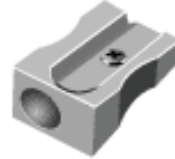
Name: \_\_\_\_\_

## NEW SCHOOL RULE

All students have the right to necessary and useful school supplies.

They do? Great! But hang on... What does that mean? Pencils? Paper? Crayons? How can you tell which school supplies are "necessary" and "useful?"

Look at the pictures below. **Circle** everything you think is a "necessary and useful" school supply.



# Interpreting the Constitution

Name: \_\_\_\_\_



## Hey! That's Cruel and Unusual! (Or is it...?)

The 8th Amendment prevents the government from giving people "cruel and unusual punishments." But what does that mean? How do you know when a punishment is "cruel" and "unusual"?

Each of the following cases happened in real life and was heard by the United States Supreme Court. Read each one, and check YES if you think it describes a "cruel and unusual" punishment. Check NO if you think it does not.

## Daily Debate

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### 1. Electric Chair Mistake

A person is sentenced to death for murder. On the first try, the electric chair shocks the prisoner but does not kill him. They put the prisoner back in his cell, fix the chair, and plan to try again later.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 2. Second-Hand Jail Smoke

A prisoner is exposed to second-hand cigarette smoke while in prison.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 3. No Prison X-Ray

A person in prison hurts his back while working in prison. He is given medical treatment, but doctors do not perform an X-ray.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 4. Prison Guard Beating

A prisoner is beaten by prison guards while he is handcuffed and shackled. The guards do not have a reason to use force on the prisoner. The prisoner suffers only minor injuries, including bruises, swelling, and loose teeth.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 5. Execution of the Mentally Retarded

A man is convicted of abduction, armed robbery, and murder. At the sentencing hearing, an expert testifies the defendant is mildly mentally retarded. The jury sentences the man to death.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 6. No Special Circumstances

A judge sentences a person to death for committing murder. A state law does not allow the judge to consider any special or individual circumstances when deciding whether to give the prisoner the death penalty.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 7. Juvenile Death Sentence

A boy commits murder when he is 17 years old. At age 18, he is tried and sentenced to death.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 8. School Paddling

A state law allows public school teachers to discipline students with corporal punishment. A middle school teacher hits several students with a wooden paddle. One student can't use his arm for a week.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No





## "I Take the Fifth!"

The 5th Amendment says the government cannot "compel" (force) a person "to be a witness against himself." But how do you know when someone is being "compelled"? When are you being a "witness" against yourself?

Each of the following cases happened in real life and was heard by the United States Supreme Court. Read each one, and check YES if you think the person has been compelled to be a witness against him/herself. Otherwise check NO.

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### 1. FBI Informant Tell-All

A prisoner is being threatened by other prisoners because of a rumor that he killed a child. He is befriended by a prisoner who is a paid informant for the FBI. The informant offers to protect the prisoner if the prisoner tells him whether the rumor is true. The prisoner admits to the murder.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 2. Appealing to a Robber's Conscience

Three police officers drive a robbery suspect to the police station. The officers have not yet found the gun used in the robbery. On the way to the station, one officer mentions to another officer that there is a school for handicapped children nearby. He says it would be terrible if one of the school children finds the gun and hurts themselves. Hearing this, the suspect tells the officers where the gun is.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 3. Oops — A Truth Serum

A drug addict is arrested for robbery and murder. After being in police custody for several hours, he begins to have severe withdrawal symptoms. A police doctor gives the suspect medication. Nobody realizes that one of the medicines has the effect of a "truth serum." The police continue to question the suspect after he takes the medication. Within a short time, the suspect confesses.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 4. Forced to Model a Shirt

Investigators trying to solve a murder want to know whether a certain shirt belongs to the suspect. They make the suspect try the shirt on despite his objection, and the shirt fits him. This evidence is used in a trial to help convict him.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 5. Didn't Read the Rights

Detectives take a suspect into an interrogation room and ask her questions. The detectives do not tell her what her rights are before they ask her questions. She confesses to a crime.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 6. Blood Draw

A man is arrested at a hospital after a car accident. The officer believes the man has been drinking and driving. He orders a doctor to take a blood sample even though the man protests. The sample shows alcohol in the man's blood.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No

### 7. Bedside Interrogation

After a drug raid, a suspect ended up in the intensive care unit. The barely conscious suspect was hooked up to all sorts of tubes and equipment. Detectives go to his bedside and interrogate him. Even though the suspect keeps asking them to stop, the detectives continue to ask questions. His statements are used at trial to convict him.

My Guess: ☐ Yes ☐ No Supr. Court: ☐ Yes ☐ No