Rights on the Line

Trace how constitutional rights limit government action.

9-12.GOV.9 "Analyze how the Bill of Rights limits the powers of the government and ensures individual rights."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline three actions officials take or propose, circle the individual right each action puts at risk, and number each action-right pair 1, 2, and 3.

A Festival, a Search, and a Trial

1. At a summer street festival, residents in the fictional town of Harbor Point carry signs criticizing the mayor's spending plan. The mayor tells police to remove the signs because they make the town look bad. The First Amendment protects speech and peaceful assembly from government punishment based on a viewpoint. A city may set neutral rules about when and where crowds gather to keep streets open, but it cannot single out criticism of the mayor for suppression. The issue is not whether the signs are polite. It is whether officials use public power to silence a particular opinion.

2. Later, an officer thinks a festival volunteer has taken a city-owned tablet. The officer wants to enter the volunteer's apartment and search a closet immediately, although no one has consented and there is no emergency. The Fourth Amendment guards against unreasonable searches and seizures. Police generally need a warrant to search a home, issued by a judge on probable cause, unless a recognized exception applies. Suspecting theft does not by itself erase that safeguard. The limit on government power protects a person's privacy while still allowing police to investigate through lawful steps, such as seeking a warrant.

3. The volunteer is charged with theft in a criminal case that could lead to jail time and cannot afford a lawyer. City prosecutors ask the judge to start the trial without defense counsel, arguing that appointing a lawyer would slow the case. The Sixth Amendment guarantees the assistance of counsel in criminal prosecutions; courts have held that defendants who cannot afford counsel must receive appointed counsel in cases that can result in imprisonment. The government cannot trade that protection away merely to move faster. These protections apply to state and local officials largely through the Fourteenth Amendment.

2 ANSWER WITH EVIDENCE

Use the passage

1. Suppose the town allows signs praising the mayor but removes signs criticizing her. Why would that rule conflict with the limit described in the passage?

2. Why does the officer's suspicion of theft not, by itself, justify searching the volunteer's apartment immediately?

3. How does the Sixth Amendment limit the prosecutors' plan to start the trial without a lawyer?

4. Compare two limits on government power in this story. What individual interest does each protect?

3 YOUR TURN

Your own words

Create a new situation outside the festival and trial involving speech, a home search, or legal counsel. In three sentences, describe an official's action, identify the right at stake, and explain how the Bill of Rights limits that action.

ANSWER KEY

Rights on the Line

HIGH SCHOOL · 9-12.GOV.9

PART 1 · READ AND MARK

Underline three actions officials take or propose, circle the individual right each action puts at risk, and number each action-right pair 1, 2, and 3. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Suppose the town allows signs praising the mayor but removes signs criticizing her. Why would that rule conflict with the limit described in the passage?	**The rule would suppress one viewpoint while allowing another. The First Amendment limits government punishment of speech based on its viewpoint.**
2	Why does the officer's suspicion of theft not, by itself, justify searching the volunteer's apartment immediately?	**A home search generally requires a warrant issued on probable cause. The passage gives no consent or emergency that might provide an exception.**
3	How does the Sixth Amendment limit the prosecutors' plan to start the trial without a lawyer?	**Because the charge could lead to jail time and the volunteer cannot afford a lawyer, the volunteer must receive appointed counsel. A faster trial does not cancel that right.**
4	Compare two limits on government power in this story. What individual interest does each protect?	**For example, the First Amendment limits officials' ability to suppress criticism and protects speech. The Fourth Amendment generally requires a warrant for a home search and protects privacy.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

A city passes a rule that fines residents who email the council to criticize its budget. The First Amendment protects their speech, including criticism of public officials. The city may not punish that viewpoint simply because council members dislike it, so the rule would violate the limit on government power.

Accept accurate explanations in students' own words. For Your Turn, the new situation must identify a government action, a relevant right, and the resulting limit on that action.