Rights in Action

Examine how constitutional protections limit government power.

8.C.4.5.C "Examine individual rights, liberties, and protections of due process guaranteed by the Bill of Rights."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each action the government takes or might take. Circle the right or protection that limits that action, then number each action and its matching protection with the same number.

From Sidewalk to Courtroom

1. At a town meeting, Maya holds a sign criticizing a proposed curfew. Her friends gather on the public sidewalk and hand out flyers. The First Amendment protects their speech and peaceful assembly, even when officials dislike their message. Those freedoms do not erase every rule: a city may set reasonable limits on when and where people gather, as long as the limits do not favor one viewpoint. An officer cannot detain Maya merely because her opinion is unpopular. The Bill of Rights limits government power so people can disagree openly.

2. Later, officers suspect Maya's neighbor, Luis, of stealing a laptop from the library. Before searching his home, they generally need a warrant based on probable cause, though some searches have legal exceptions. The Fourth Amendment protects against unreasonable searches and seizures. If Luis is charged with a crime, the Fifth Amendment protects him from being forced to testify against himself. It also bars the federal government from taking his liberty without due process, meaning fair legal procedures. Suspicion alone is not proof of guilt.

3. If Luis faces a serious criminal charge, the Sixth Amendment gives him the right to a speedy, public trial, an impartial jury, and a lawyer. If he cannot afford a lawyer and faces possible jail time, the court must provide one. The Eighth Amendment prohibits excessive bail and cruel and unusual punishments; it does not promise that everyone will be released on bail. Because local police represent state government, the Fourteenth Amendment also requires the state to provide due process. These rules require fair steps before the government can take a person's liberty.

2 ANSWER WITH EVIDENCE

Use the passage

1. An official dislikes Maya's sign and wants her removed from the sidewalk. What protection limits the official, and what kind of gathering rule might still be allowed?

2. Officers want to search Luis's home because they suspect him of theft. What protection applies, and what would they generally need before searching?

3. How do the Fifth and Sixth Amendments protect Luis at different points in his criminal case?

4. Why would setting excessive bail raise a different constitutional concern from refusing Luis a lawyer?

3 YOUR TURN

Your own words

Imagine a city arrests a person for handing out leaflets opposing a new parking fee. Officers search the person's home without a warrant or legal exception, and a judge refuses to appoint a lawyer even though the person cannot afford one and faces possible jail time. In four sentences, identify three Bill of Rights protections and explain how each limits government action in this case.

ANSWER KEY

Rights in Action

GRADE 8 · 8.C.4.5.C

PART 1 · READ AND MARK

Underline each action the government takes or might take. Circle the right or protection that limits that action, then number each action and its matching protection with the same number. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	An official dislikes Maya's sign and wants her removed from the sidewalk. What protection limits the official, and what kind of gathering rule might still be allowed?	**The First Amendment protects Maya's speech and peaceful assembly. The city may set reasonable limits on when and where people gather if the limits do not favor one viewpoint.**
2	Officers want to search Luis's home because they suspect him of theft. What protection applies, and what would they generally need before searching?	**The Fourth Amendment protects Luis against unreasonable searches. Officers generally need a warrant based on probable cause, although legal exceptions exist.**
3	How do the Fifth and Sixth Amendments protect Luis at different points in his criminal case?	**The Fifth protects Luis from being forced to testify against himself. The Sixth protects his rights at trial, including a lawyer and a speedy, public trial.**
4	Why would setting excessive bail raise a different constitutional concern from refusing Luis a lawyer?	**The Eighth Amendment prohibits excessive bail. The Sixth Amendment protects Luis's right to a lawyer in his criminal case.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The First Amendment protects the person's right to criticize the parking fee through leaflets, so the city cannot arrest the person just for that message. The Fourth Amendment protects the home against an unreasonable search, and the officers have neither a warrant nor a legal exception. The Sixth Amendment requires the court to appoint a lawyer for someone who cannot afford one and faces possible jail time. These protections limit what officials can do before and during a criminal case.

Accept answers that correctly connect each government action to its protection and explain the limit. Students need not name the Fourteenth Amendment to answer the questions or complete the open task.