**1. Complete the “before” by yourself, then do the “after” when we discuss in class.**

**2. Use the Internet to look up the cases listed as Landmark cases. Figure out what new rules were made or changed because of the trial and what impact that had on court procedures. Upload completed assignment on schoology.**

**Constitution (4th/ 5th Amendment) Issues**

**4th Amendment to the U.S. Constitution (Bill of Rights) reads as follows:** “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”.

**5th Amendment (edited version):** “No person 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…” (*Miranda* was a court case related to this)

***Answer the following questions based on your reading of the Amendments & knowledge:***

|  |  |
| --- | --- |
| 1. Can police search your house if they believe you have stolen items from a store? (yes/no- explain) | |
| Before | After |

1. The drug dogs came to Carson High School and zero in on your backpack. Can your backpack be searched? (yes/no- explain)
2. You are driving on Hwy 29 when they were pulled over by the police for having a broken tail light. The police officer asks you to open the trunk of the car. Do you have to? (yes/no- explain)
3. Can you get in trouble for having incriminating pictures of yourself or others on Instagram / Facebook/ or your cell phone? (yes/no- explain)
4. A man suspected of drunk driving fails some basic coordination tasks miserably & he’s told by the officer to take a breathalyzer test. Can the man refuse a breathalyzer test? (yes/no- explain)
5. If an officer tells you you’re under arrest and places the cuffs on you, he/ she has to read you your Miranda Rights or you can be released on a technicality. What if you’ve already confessed? (yes/no- explain)

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| --- | --- | --- | --- |
| Landmark Cases in Acceptance of Evidence | | | |
| **Case** | **Date** | **Summary of Case and Decision** | **Notes on Impact** |
| *Frye v. United States* |  |  |  |
| *Daubert v. Merrell Dow Pharmaceuticals* |  |  |  |
| *United States v. Starzecpyzel* |  |  |  |
| *Kumho Tire v. Carmichael* |  |  |  |
| *United States v. Prime* |  |  |  |