

Unit 5 Lesson 33: How Do the 4th and 5th Amendments Protect Us Against Unreasonable Law Enforcement Procedures?

(Lecture/Reading Notes)	
What is the Purpose of the 4 th Amendment?	<ul style="list-style-type: none">• It implies a right to _____, which is one of the most significant protections of human _____ and _____ found in the Bill of Rights.• The right to _____ protects people in a _____ society to discuss differing _____ about our _____ system.
What is the history of the 4 th Amendment? (“A man’s home is his castle”)	<p>The 4th A prohibits law enforcement from _____ or seizing people or their _____ unless there is _____ : a good reason for suspecting a person of breaking the law.</p> <ul style="list-style-type: none">• The 4th A requires police to secure a _____ from a _____ - a written document giving permission for a search or seizure.• English _____ law prevents general warrants & _____ of assistance (open-ended warrants used to harass and persecute dissenters) and yet royal commissions authorized their use in _____ America!• Anti-_____ criticized the Constitution for not limiting the new federal government from in the area of “_____ searches and seizures.
What Controversies are raised in the Interpretation & Application of the 4 th Amendment?	<p>When is a warrant not required?</p> <p>What is probable cause?</p> <p>How can the 4th Amendment be enforced?</p>
What are the means of enforcing the 4 th Amendment?	<ul style="list-style-type: none">• Why must we give and trust police with power?• What methods are employed to check the abuse of police power? <ol style="list-style-type: none">1.2.3.4.

<p>What is the significance of the exclusionary rule?</p>	<p>The _____ rule was created by judges to discourage officers from breaking the law. The courts have argued that it is the most effective way of preventing violations of _____ rights.</p>
<p>What is the purpose of the 5th Amendment provision against self-incrimination?</p>	<ul style="list-style-type: none"> • The right against self-_____ is a protection of both the _____ & guilty from the potential abuse of gov't _____. • The _____-incrimination protection prevent the “3rd degree” confession from being forced out of an accused. • The protection from self-incrimination has its underpinnings in the principle that a person is presumed _____ until proven _____ beyond a reasonable _____.
<p>What happened to Dillon & Fulminante? (Read and be able to discuss each case)</p>	<p>Dillon:</p> <p>Fulminante:</p>
<p>How have protections against self-incrimination developed?</p>	<p><i>Miranda v. Arizona (1966)</i>- requires that police must warn suspects that they have a right to remain _____ & they have a right to an _____ with them while being questioned...known as “_____ Warnings”</p>
<p>What are common limitations on the right against self-incrimination?</p>	<p>Personal right-</p> <p>Immunity-</p> <p>Contempt of Court-</p>
<p>On a Separate Sheet of Paper, Complete Reviewing and Using the Lesson Questions 1-5 on page 181</p>	<p>COMPLETE ON A SEPARATE SHEET OF PAPER</p>