

## Teacher Notes



# The Fourth Amendment: The Issue of Search and Seizure

## Activity 1 Understanding the Concepts of the Fourth Amendment

### Activity at a Glance

- ◆ **Subject:** Social Studies
- ◆ **Subject Area:** Civics/Government
- ◆ **Category:** Due Process Rights
- ◆ **Topic:** Search and Seizures in Schools
- ◆ **Grade Level:** 10 - 12
- ◆ **Prerequisites:** Students should have a basic understanding of the differences between the criminal justice system and civil law. Prior to this lesson, students should have discussed the basic rights that we have in this country and be able to identify our core democratic values.
- ◆ **Total Teaching Time:** 120 minutes

### Materials

- ◆ TI-83 Plus
- ◆ TI External Keyboard
- ◆ NoteFolio™ and LearningCheck™ applications installed on each student's TI-83 Plus
- ◆ Resource files: **Searches.edc**, **Seizures.edc**, **Probable Cause.edc**, **Warrants.edc**
- ◆ TI Connectivity Cable and TI Connect™ software or TI-Navigator™ Classroom Network
- ◆ Unit-to-unit cables
- ◆ Student Work Sheet: **Understanding the Fourth Amendment to the Constitution**

### *Activity Overview*

In this activity, students will gain an understanding of the major concepts of the Fourth Amendment to the Constitution. Students will come to understand the meaning of search, seizure, probable cause, and a warrant requirement. Since there are four key words that articulate the meaning of this Amendment, students will be divided into groups in which they will read United States Supreme Court cases to define these words. Once the groups have identified

the definitions, the class will come together as a whole to build a full picture of the Fourth Amendment.

**Tip**

- ◆ This activity requires that students read actual Supreme Court cases as primary sources. It is important that students know the difference between a majority opinion, dissenting opinion, and a concurring opinion. Instructors should discuss these differences prior to the assignment.
- ◆ Students should be placed into groups no larger than four. If you have a large class, then instead of having bigger groups that would distract the students from the assignment, create two groups to research the different categories. For example, two groups could research “probable cause.”
- ◆ Instructors with students who are learning disabled or who speak English as a second language should design case summaries to aid their students.

**Directions**

**Before the Activity Begins**

Make sure each student has a TI-83 Plus loaded with the NoteFolio™ and LearningCheck™ Applications.

Place students into four groups and let them know the key term that they will be researching.

Transfer to the groups the LearningCheck™ file that corresponds to the key term each group has been assigned. There are a couple of ways to do this:

If you use a TI-Navigator™ system, you can use it to distribute the file to the class as follows.

1. Start the TI-Navigator™ software and then select LearningCheck™ Creator. Make sure that the students have their devices connected to the system.
2. Open the resource file. Click the **Send to Class** icon to send the file to the student devices. Be sure that students in other groups do not have their devices connected to the system.

If you do not have the TI-Navigator system, you can use the standalone version of LearningCheck™ Creator to transmit the file to the students. To do this:

1. Start the LearningCheck™ Creator software. Attach one end of a TI Connectivity Cable to the computer and the other end to a TI-83 Plus device. Open the resource file.
2. Click the **Send to Class** icon to send the file to the student’s device.
3. When the transfer is completed, have the student unplug his or her device from the cable and have another student attach his or her device. Repeat Step 2.

Note: When a student has the file on his or her device, they can copy the file to another student’s device using the unit-to-unit cable. If the students help with file distribution, it will speed the entire process. This is excellent

practice for allowing the students to work with some of the logistics of the devices.

Distribute the **Student Work Sheet** to the students. Review the instructions with the class and explain that they will be researching the meaning of the Fourth Amendment to the Constitution.

### ***During the Activity***

Monitor each group's progress. Circulate and assist students in their research and guide the discussions if necessary. Make sure that the students are focusing on the correct aspect of the cases that they are reading. Furthermore, make sure that they are taking their definition from the majority opinion and that they are not confusing this with the dissenting opinion.

Make sure that all of the students are keeping their notes in a new NoteFolio™ file on the TI-83 Plus and inform them that you will be walking around to check that everyone is doing this. By keeping their notes in the TI-83 Plus it will be easier for them to transfer information to the LearningCheck™ file when the entire class reviews the assignment.

Finally, have the groups answer the question found in the LearningCheck™ file distributed to the group. Inform the students that the class will use this information to create a working understanding of the Fourth Amendment.

### ***After the Activity***

Use the TI-Navigator™ Classroom Network to collect the LearningCheck™ files from all of the students.

When the groups have completed their work, reconvene the class and begin a class discussion. Display the answers that the different groups recorded when taking notes about the key terms. In this way, the students can discuss the key terms and identify any missing components of the terms.

**Student Work Sheet**  
**Understanding the Fourth**  
**Amendment to the Constitution**

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

Date: \_\_\_\_\_

**Directions**

**Step 1**

First review the Fourth Amendment to the Constitution and observe how your key term is used in light of the paragraph. Try to ascertain what the meaning of the term you have been assigned is *before* you proceed with the rest of the steps. This should take only about five minutes of brainstorming before you move on. The Fourth Amendment states:

*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.*

For this assignment, every group is assigned a different key term to evaluate. Your group's first task is to open the LearningCheck™ file provided to your group and find the questions for the key term. For example, if you are assigned the term *probable cause*, you will read the case listed in this section and answer the questions for this term. It is imperative that you read the case listed in your section to be able to answer the questions. THE CASES ARE NOT THE SAME FOR THE DIFFERENT TERMS!

While reading the case, record information in a new NoteFolio™ file on the TI-83 Plus. This information will act as a brief that you can refer to when your group presents to the class. In this brief, include the following information:

- ◆ facts,
- ◆ what happened to whom,
- ◆ the issue of the case; that is, why are they in court,
- ◆ the reasoning behind the issue; that is, why did the judges decide the case the way that they did.

**Step 2**

Once you have completed Step 1 above, your group's next job is to define the key term that you have been assigned. This definition will not look like one that you find in a dictionary but instead it will more closely resemble a grocery list of certain rules. You may have a general rule that encompasses the whole term, but you must also explain any exceptions.

The definition of the assigned key term is entered in the LearningCheck™ file. As a group, you must also answer the questions in the file and be prepared to discuss your term at the conclusion of the class.

***Step 3***

Group members will connect their TI-83 Plus to the TI-Navigator™ hub nearest to them so that the teacher can retrieve the completed files from the class. These files are then stored on the teacher's computer.

When the class reconvenes to discuss the terms assigned to the different student groups, your group will have the opportunity to present to the class your assigned term, its definition, and the supporting facts that explain how it is an integral component of the Fourth Amendment. Every member of the group must participate in this activity and be active in the discussion and presentation.