



## Fifth Amendment: Lesson Plan

Topic	
<p>The Fifth Amendment contains five main ideas relating to the rights of people in criminal or civil processes. They are the right to a grand jury; protection from double jeopardy; protection from self-incrimination; the right to maintain life, liberty, and property without due process; and lastly, just compensation for taken property. Several Supreme Court cases have expanded and constricted these rights, like <i>Hurtado v. California</i> and <i>Miranda v. Arizona</i>.</p>	
Possible subjects/classes	Time needed
<ul style="list-style-type: none"> <li>• US History</li> <li>• Government</li> <li>• Politics</li> </ul>	30-45 minutes
Video link:	
<a href="https://academy4sc.org/video/fifth-amendment-justice-in-jeopardy/">https://academy4sc.org/video/fifth-amendment-justice-in-jeopardy/</a>	
Objective: <i>What will students know/be able to do at the end of class?</i>	
<p>Students will be able to...</p> <ul style="list-style-type: none"> <li>• Identify the five main ideas of the Fifth Amendment.</li> <li>• Explain the importance of each right protected.</li> <li>• List modern applications of the Fifth Amendment.</li> <li>• Explain at least one relevant court case (past or current) that involves the Fifth Amendment.</li> </ul>	
Key Concepts & Vocabulary	
Supreme Court, Natural Rights, Due Process Clause	
Materials Needed	
Worksheet, Student Internet Access	
Before you watch	
<p><b>Poll the class:</b> Ask students if they know what rights a citizen has during an arrest and trial. See if students mention each of the five Fifth Amendment points.</p>	



### While you watch

1. List the five parts of the Fifth Amendment.
2. Jot down two major court cases dealing with the Fifth Amendment.

### After you watch/discussion questions

1. Which Fifth Amendment right do you think is the most important? Why?
2. In what ways are the five main ideas of the Fifth Amendment related?
3. What would the criminal justice system look like without the Fifth Amendment?

### Activity Ideas

- **Case Analysis:** Split students into groups. Have each group research and present on a Fifth Amendment case not mentioned in the video.
- **Debate Practice:** Split students into five different groups. Assign each group to a different part of the Fifth Amendment. Have students research, debate, and try to justify why their assigned part of the Fifth Amendment is the most important.
- **Worksheet:** Have students complete the Worksheet in partners. After completion, go over the answers as a class.

### Sources/places to learn more

1. "Fifth Amendment." *Legal Information Institute*, Cornell Law School, [www.law.cornell.edu/constitution/fifth\\_amendment](http://www.law.cornell.edu/constitution/fifth_amendment).
2. "5th Amendment." *Constitutional Rights Origins and Travels*, The National Constitution Center, <http://constitutionalrights.constitutioncenter.org/app/home/writing/5/24114>.
3. "How Does a Grand Jury Work?" *Findlaw*, 2 Apr. 2019, <http://criminal.findlaw.com/criminal-procedure/how-does-a-grand-jury-work.html>.
4. "Miranda v. Arizona." *Oyez*, [www.oyez.org/cases/1965/759](http://www.oyez.org/cases/1965/759).
5. "Fifth Amendment Takings." *The United States Department of Justice*, 12 May 2015, [www.justice.gov/enrd/fifth-amendment-takings](http://www.justice.gov/enrd/fifth-amendment-takings).