



## Fourth Amendment: Lesson Plan

Topic	
<p>The Fourth Amendment protects citizens from unlawful searches or seizure of their property by government authorities. However, the Fourth Amendment doesn't mean that the police always need a warrant to conduct a search. There are still various acceptable situations for legal warrantless searches by law enforcement officers.</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/fourth-amendment-search-for-lawful-seizures/">https://academy4sc.org/video/fourth-amendment-search-for-lawful-seizures/</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>• Define the Fourth Amendment.</li> <li>• Explain why the Fourth Amendment was included in the Bill of Rights.</li> <li>• Differentiate between the different standards for searches as determined by the Supreme Court.</li> <li>• Analyze relevant court cases involving the Fourth Amendment.</li> </ul>	
Key Concepts & Vocabulary	
Bill of Rights, Supreme Court	
Materials Needed	
Worksheet	
Before you watch	
<p><b>Poll the class:</b> Ask students to define what a warrant is. Then ask them to list any types of searches and seizures that are permissible without a warrant.</p>	



### While you watch

1. What do government officials usually have to obtain for their searches and seizures to be lawful?
2. Define the exclusionary rule.
3. What two words in the Fourth Amendment incite the most controversy?

### After you watch/discussion questions

1. What do “unreasonable” and “probable cause” mean to you in the context of the Fourth Amendment?
2. What rights to privacy do you have in different spaces? At home? In a car? At school?
3. Can you think of a court case or issue not discussed that involves the Fourth Amendment? What is it? Why was it important?

### Activity Ideas

- **Skits:** Present or role-play different scenarios where the Fourth Amendment is involved. Some situation examples are: An officer asking to search inside a house where they either have or don't have a warrant, someone is pulled over for speeding, school officials want to do a drug test on student athletes. What Fourth Amendment rights does each person have in each situation?
- **Amendment Rewrite:** Write a short essay on what changes you would make to the wording of the Fourth Amendment or the interpretation of the Amendment as stated in any court case. What would your proposed changes accomplish?
- **Worksheet:** Have the students complete the Worksheet individually. After completion, have students share a summary of their responses.

### Sources/places to learn more

1. “Cases- Search and Seizure.” Oyez [www.oyez.org/issues/227](http://www.oyez.org/issues/227).
2. “Fourth Amendment.” *Legal Information Institute*, Cornell Law School, [www.law.cornell.edu/wex/fourth\\_amendment](http://www.law.cornell.edu/wex/fourth_amendment).
3. Rosenthal, Lawrence. “Binary Searches and the Central Meaning of the Fourth Amendment.” *SSRN*, Chapman University, The Dale E. Fowler School of Law, 10 Oct. 2013, [papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2337247](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2337247).



4. Zotti, Priscilla Machado. *Injustice for All: Mapp vs. Ohio and the Fourth Amendment*. P. Lang, 2005.