Grade: High School
Subject: Contemporary Issues, U.S. Government and Civics, English Language Arts
Time Required: Two 45-minute class periods
Author: John Mallick, John Sevier Middle School, Kingsport City Schools

**OVERVIEW**
The first ten amendments to the Constitution make up the Bill of Rights. Written by James Madison in response to calls from several states for greater constitutional protection for individual liberties, the Bill of Rights lists specific prohibitions on governmental power. For example, what the Founders saw as the natural right of individuals to speak and worship freely was protected by the First Amendment’s prohibitions on Congress from making laws establishing a religion or abridging freedom of speech. Furthermore, the natural right to be free from unreasonable government intrusion in one’s home was safeguarded by the Fourth Amendment’s warrant requirements. The rights listed in the Bill of Rights are still being interpreted, discussed, and argued by Americans in the 21st century.

**UNDERSTANDING GOAL**
The students will apply their knowledge on the impact of the Bill of Rights to individuals or a group of citizens.

**OBJECTIVE**
Students will examine and interpret primary sources to write an opinion piece on the impact of the Bill of Rights on individuals or a group of citizens.

**INVESTIGATIVE QUESTION**
What is the impact of a right from the 18th-century Bill of Rights on American individuals and/or on groups of citizens in 21st-century America?

**Temple of Liberty** [1834]; see also this description

**CURRICULUM STANDARDS**

**Social Studies**
- CI.12 Describe the protections offered by the Bill of Rights and their changing interpretations within American society.
- GC.08 Analyze how the Bill of Rights limits the powers of the government and ensures individual rights.

**English/Language Arts**
- 9-10.RI.KID.1 Analyze what a text says explicitly and draw inferences; cite the strongest, most compelling textual evidence to support conclusions.
- 9-10.RI.KID.2 Determine a central idea of a text and analyze its development; provide an objective or critical summary.
- 9-10.RI.KID.3 Analyze how an author presents and develops key ideas and events to impact meaning.
- 9-10.W.TTP.1 Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning supported by relevant and sufficient evidence.
- 9-10.W.PDW.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
- 9-10.W.RBP.K.9 Support and defend interpretations, analyses, reflections, or research with evidence found in literature or informational texts, applying grade band 9-10 standards for reading to source material.
**Materials**

- Smart Board/Projector
- **A 3-minute guide to the Bill of Rights** - Belinda Stutzman, YouTube video
- Chart of Selected Amendments and Their Origins (pp. 5-6 below)
- **Creating the Bill of Rights**, Special Presentation within **Creating the United States** exhibition
- **Magna Carta: Muse and Mentor** exhibition
- Sheets of lined notebook paper
- **TPS-MTSU Image Analysis Form**
- Index cards (for exit tickets)
- **POW TREE + C graphic organizer** for writing an essay

**Primary Sources**

- **Bill of Rights** [see also World Digital Library manuscript and National Archives transcription]
- “Four Freedoms poster”: **OURS. . . to Fight for: Freedom of Speech, Freedom of Worship, Freedom from Want, Freedom from Fear** [1943] by Norman Rockwell
  ⇒ **Freedom of Speech** (separate image)
  ⇒ **Freedom of Worship** (separate image)

**Articles** (pages 10-15 below)

- “Mistrial in Seabrook police brutality case,” by Max Sullivan, Seacoastonline.com, May 26, 2014 [original link]
- “‘Guns-in-trunks’ legislation may be back,” by Josh Brown, The Tennessean, August 21, 2012
- “Lawsuit regarding prayer at school board meetings dismissed,” by Chad Mills & Renee Standera, WISTV, December 10, 2014 [original link]
## PROCEDURE

### Day 1: The influences on the American Bill of Rights and its impact on you

<table>
<thead>
<tr>
<th>Step 1</th>
<th>As a refresher from the previous lesson on the Constitution/Bill of Rights, show on the Smart Board/projector a short YouTube video clip, “A 3-minute guide to the Bill of Rights - Belinda Stutzman.” After the video clip is completed, the teacher will randomly select students to comment on their reactions to the content of the video.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 2</td>
<td>The teacher will discuss the early influences on the American Bill of Rights using the Library of Congress online exhibitions, <em>Magna Carta: Muse and Mentor</em> and <em>Creating the United States</em>. Be sure to point out and discuss the <em>Magna Carta</em> (1215), the <em>English Declaration of Rights</em> (1689), and the <em>Virginia Declaration of Rights</em> (1776). Pass out the <em>Chart of Selected Amendments and Their Origins</em> so that each student has a copy. The teacher may also wish to walk students through the interactive presentation called <em>Creating the Bill of Rights</em>. This presentation allows you to explore the influences on five of the major rights protected by the Bill of Rights—just click on the “Explore” buttons. Students can use this presentation to make additional notes to their charts.</td>
</tr>
<tr>
<td>Step 3</td>
<td>Instruct students to write on a sheet of notebook paper, in one sentence, what they think is the most important right. Call on student volunteers to share their answers with the class and to justify why they chose that particular right. Which of the amendments seems to be the one most frequently chosen? Why do they think that is?</td>
</tr>
<tr>
<td>Step 4</td>
<td>Students will now take a fresh look at the rights enshrined in the Bill of Rights, and how they apply to different time periods. Project onto the Smart Board/projector the image of Norman Rockwell’s “Four Freedoms” poster. Explain that this poster was produced in 1943 during World War II to help encourage Americans to invest in the war effort.</td>
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<tr>
<td>Step 5</td>
<td>The teacher will break the class into student groups of four. Each group will require 1) four copies of the <em>Image Analysis Form</em>; 2) one copy of “The Four Freedoms” poster; and 3) one copy of the <em>American Bill of Rights</em> in transcription (or use a copy from your eighth grade American history textbook).</td>
</tr>
<tr>
<td>Step 6</td>
<td>Within each group of four, two students are to focus on the Freedom of Speech image, and two are to focus on the Freedom of Worship image (don’t worry about the bottom two images for now). You may even wish to give them copies of just the <em>Freedom of Speech</em> image or the <em>Freedom of Worship</em> image, to help them focus. Working in pairs, students will analyze their image using the Image Analysis Form. Then, students will share their observations and conclusions within their group. Optional: The teacher may choose to challenge students’ thinking skills by asking them to look at the bottom two images, Freedom from Want and Freedom from Fear, and ask how those two images represent a right from the first ten amendments. Can you interpret these as rights? What’s the difference between a right and a freedom?</td>
</tr>
<tr>
<td>Step 7</td>
<td>The teacher will then direct the groups to write three sentences, on a clean sheet of paper, about how this poster relates to the American Bill of Rights. At the end of the assignment, the teacher will ask each group (time permitting) to share their analyses with the class.</td>
</tr>
<tr>
<td>Step 8</td>
<td>At the close of class, the teacher will summarize the lesson. Then the teacher will hand out to each student a blank index card. The students will write on their card what they learned from their lesson and give the completed card to the teacher as the students leave the classroom. The teacher will review the cards for student learning.</td>
</tr>
</tbody>
</table>

**Bill of Rights** [1789, detail of Article the Third, better known today as the First Amendment]
Day 2: Writing and opinion-based essay on a particular right that impacts you or a group of citizens, citing evidence from the Bill of Rights and contemporary informational text

**PROCEDURE, CONTINUED**

**Step 9**
Explain to the students that the lesson will be the students writing an opinion essay arguing for the importance of a particular right as it impacts individuals and/or groups, using evidence from the Bill of Rights and accompanying informational text.

**Step 10**
The teacher will review the student exit cards from the previous day with students for re-teaching purposes.

**Step 11**
The teacher will explain to the students that they will write an opinion essay on the importance of a particular right as it impacts individuals and/or groups, using evidence from the Bill of Rights and contemporary text.

**Step 12**
Lastly, the teacher will pass out to the students a POW TREE + C graphic organizer to assist them in writing their essay. Go over the graphic organizer first to explain to students how to fill it out. Then, model the process by selecting a different amendment (such as the 14th), and filling out the graphic organizer with opinions and information pertinent to this amendment (such as this article about how the 14th amendment will play a role in the upcoming Supreme Court decision on affirmative action).

**Step 13**
Students (now working independently; i.e., not in groups) will now select one out of four articles or excerpts having to do with the First Amendment (Lawsuit regarding prayer), the Second Amendment (Guns-in-trunks), the Fourth Amendment (Search and Seizure), and the Sixth Amendment (Mistrial in Seabrook). The students will use their POW TREE + C graphic organizers, the Bill of Rights, and their chosen articles to complete their essays. Be sure to restate the Investigative Question so that students can focus on answering it through their essays.

**Step 14**
The students will turn in their completed essays to the teacher for grading. The teacher will use the essays to determine what the students have learned about the impact of the Bill of Rights on individuals or groups. The teacher will end the class by summarizing the lesson.

**EVALUATION**
25% for the 1st day – completion grade on the Image Analysis Form and group work participation.
75% for the 2nd day – argumentative essay on the Bill of Rights using the rubric for extended response.

The teacher will be walking among the students to answer any questions and to ensure that the students are on task.

**EXTENSION ACTIVITIES**

*Activity 1 – Student Game titled “Life Without the Bill of Rights”*
The students with their laptop computer or I-Pad could log into this Bill of Rights Institute game titled “Life Without the Bill of Rights.” If the students do not have access to a laptop computer or an iPad, the teacher can display and facilitate this game on the Smart Board/projector. The teacher will first model how the game is played and then walk around the classroom to answer student questions as they play the game. After the students have completed the game, the teacher will ask the students what their lives would be like if they did not have the rights listed in the Bill of Rights.

*Activity 2 – Watch a YouTube video titled “Bill of Rights (Shake it Off)”*
As a refresher from the previous lesson on the Constitution/Bill of Rights, show on the Smart Board/projector a short YouTube video clip, “Bill of Rights (Shake It Off).” After students have watched the video once or twice, the teacher will randomly select students to explain their reactions to the content of the video. Time permitting, the teacher will instruct each student to write his or her own four-line song about their understanding of the American Bill of Rights.
<table>
<thead>
<tr>
<th>SELECTED AMENDMENT:</th>
<th>Selected focus of amendment (not complete amendment):</th>
<th>This amendment was influenced by…</th>
<th>Which is evident from these quotes from the influencing documents:</th>
</tr>
</thead>
<tbody>
<tr>
<td>First</td>
<td>Freedom of religion</td>
<td>English Declaration of Rights (1689)</td>
<td>“That the Freedom of Speech, and Debates or Proceedings in Parliament, ought not to be impeached or questioned in any Court or Place out of Parliament.”</td>
</tr>
<tr>
<td></td>
<td>Freedom of speech</td>
<td>Virginia Declaration of Rights (1776)</td>
<td>“All Men should enjoy the fullest Toleration in the Exercise of Religion, according to the Dictates of Conscience, unpunished and unrestrained by the Magistrate.”</td>
</tr>
<tr>
<td>Second</td>
<td>Right to bear arms</td>
<td>English Declaration of Rights</td>
<td>“That the Subjects, which are Protestants may have Arms for their Defence suitable to their Conditions, and as allowed by Law.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Virginia Declaration of Rights</td>
<td>“That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free state; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and governed by, the civil power.”</td>
</tr>
<tr>
<td>Fourth</td>
<td>Searches and seizures</td>
<td>Virginia Declaration of Rights</td>
<td>“That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.”</td>
</tr>
<tr>
<td>Fifth</td>
<td>Due process</td>
<td>Magna Carta (1215)</td>
<td>“No freemen shall be taken or imprisoned or disseised or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers or by the law of the land.”</td>
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<tr>
<td>Sixth</td>
<td>Trial by jury</td>
<td>English Declaration of Rights</td>
<td>“That Jurors ought to be duly Impannelled, and Returned, and Jurors which pass upon Men in Trials for High Treason ought to be Freeholders.”</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jury must hear evidence from both sides</td>
<td>Magna Carta</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Right to a speedy trial</td>
<td>Magna Carta</td>
</tr>
<tr>
<td>Eighth</td>
<td>Cruel and unusual punishment</td>
<td>Magna Carta</td>
<td>“A freeman shall not be amerced for a slight offense, except in accordance with the degree of the offense; and for a grave offense he shall be amerced in accordance with the gravity of the offense.”</td>
</tr>
</tbody>
</table>

For more influences on all ten amendments from the Bill of Rights, see [http://teachingamericanhistory.org/bor/origins/](http://teachingamericanhistory.org/bor/origins/).
<table>
<thead>
<tr>
<th>P</th>
<th>What am I being asked to do? Turn the prompt into a question.</th>
</tr>
</thead>
<tbody>
<tr>
<td>O</td>
<td>Did I label the main ideas and highlight what is important?</td>
</tr>
<tr>
<td>W</td>
<td>Where do I start?</td>
</tr>
<tr>
<td>T</td>
<td>Thesis – What is my claim?</td>
</tr>
<tr>
<td>R</td>
<td>Why did I make this claim? 3 reasons</td>
</tr>
<tr>
<td>E</td>
<td>What text evidence can I use?</td>
</tr>
<tr>
<td>E</td>
<td>How am I going to end my response?</td>
</tr>
<tr>
<td>+C</td>
<td>How will I handle a counterclaim?</td>
</tr>
</tbody>
</table>
BRENTWOOD — A mistrial was declared Tuesday in the police brutality case of ex-Seabrook patrolman Mark Richardson, hours after the jury said it was being held up by one juror who believes marijuana gives its user "super-human strength."

Assistant Attorney General Geoff Ward said the outcome was "disappointing," but that he expects a re-trial. The initial trial began last week with the case going to the jury on Friday afternoon.

The victim in the case, Michael Bergeron Jr., was charged with marijuana possession the night former Seabrook patrolman Mark Richardson allegedly slammed his head into a wall.

Richardson was on trial for one count of simple assault by an on-duty law enforcement officer. The incident took place Nov. 11, 2009, but it did not surface until Bergeron posted a surveillance video of the alleged assault on YouTube in 2014. He could have faced 2-5 years in prison if convicted. He was also fired from his job.

Richardson's defense attorney, Peter Perroni, said he and his client respect the jury process.

"It seems pretty clear the jury clearly evaluated the evidence," Perroni said. "We'll continue to maintain our innocence."

The jury had reported early Tuesday afternoon it had reached an impasse due to the juror's concern.

At the time, Ward said the prosecution was concerned about an "unwillingness" by the juror who expressed the "super-human" strength concern about marijuana to hear other views on the issue. He requested that they be allowed to have an "inquiry" with the juror to determine if they need to be dismissed.

Defense Attorney Peter Perroni opposed the request, saying it would interfere with the deliberation.

"I don't think there's any basis to prompt (the juror) as to what's his thinking," Perroni said. "That's the very essence of inserting ourselves into the deliberation process which we're not supposed to do."

Judge N. William Delker denied the request, saying "I don't think further inquiry of that person is appropriate."

Delker then called the jury into the courtroom, saying despite the impasse he would like them to continue deliberating. Later in the day, the mistrial was declared.

Perroni argued during last week's trial that Richardson's action must be put into "context."

Continued on next page…
Bergeron was "belligerent," "drunk" and "unpredictable," he said. The 19-year-old was difficult from the moment he was pulled over up until the incident, according to testimony from Richardson and other officers present that night. Bergeron constantly yelled, cursed and made verbal threats like "I'm going to kick you're (expletive removed)," officers testified. He kicked the partition in the police cruiser and slipped his legs through his arms to bring his cuffed hands in front of him, they said. He tried flooding the toilet in his cell with his clothes and then whipped his soaked T-shirt at his cell bars.

Assistant Attorneys General Jay McCormack and Ward argued that Richardson's action was unreasonable based on standards for use of force in law enforcement. They pointed out that a threat must be imminent for force to be applied, and that there appeared to be no real threat in the hallway.

At one point, the prosecution stopped the video of the alleged assault in the second in which the Richardson's arm bar move began. They pointed out Bergeron's arms were down by his side and that he faced forward, appearing to be no threat.


**QUESTION TO CONSIDER:**

Does declaring a mistrial based on the actions of one juror violate your right to a speedy trial and impartial jury?
'Guns-in-trunks' legislation may be back
State lawmakers likely to bring issue back for debate in 2013
Aug. 21, 2012

Written by
Josh Brown
The Tennessean

The next state lawmaking session is five months away, but gun rights and business groups are already gearing up for another fight over whether workers can keep guns inside their vehicles on the job.

Bills that would allow gun owners to keep firearms in their cars, even in their employers’ parking lots, have percolated in the General Assembly for several years. During the most recent legislative session, such measures never made it to the House or Senate floor for a vote.

But the discussion next year could look different. Second Amendment advocates spent tens of thousands of dollars on ads attacking state Rep. Debra Maggart, R-Hendersonville, who earlier this year blocked a “guns-in-trunks” measure. She lost her bid for re-election.

Even before this month’s primary elections in Tennessee, a coalition of 20 business groups from across the state sent letters to legislative candidates warning them about the potential impact passage would have.

“It creates a dangerous working environment for employees, customers and visitors,” the groups wrote in a July 24 letter. “It burdens a business with expensive potential liability at a time when they can least afford it.”

Still, two lawmakers have indicated they plan to introduce guns-in-trunks bills in 2013.

“I have filed the bill for the last four years, and I am sure it will be filed again,” Rep. Joshua Evans, R-Greenbrier, said in an email. “That does not mean it will move forward this session, but I think we will sit down and have a full discussion on the issue with the caucus and with all of the interested stakeholders.”

State Sen. Stacey Campfield, R-Knoxville, said he also is considering sponsoring a measure.

“I’m open to being the vehicle to move some things forward,” he said. “But I don’t want to get involved if anyone is making threats at people.”

NRA stands firm

Campfield was referring to the National Rifle Association, which spent more than $75,000 on ads attacking Maggart. Campfield said many legislators are upset over the NRA turning on lawmakers who traditionally have supported gun rights legislation.

“They didn’t think things were handled fairly,” he said. “A lot of people just think they were just trying to flex some muscle.”

Chris Cox, the NRA’s chief lobbyist, said the group is unapologetic about its pursuit of Second Amendment rights.

“The leadership kept it bottled up and wouldn’t allow a vote,” he said. “We will continue to pursue what we consider a self-defense legislation.”

Business groups that opposed the bills said some versions were too broad and seemed to allow gun owners to take their firearms onto any private property against the wishes of its owner — including residences and open parking lots owned by businesses such as retailers and theaters. Under current state law, businesses can prohibit guns inside their buildings and in their parking lots.

Cox said it was never the NRA’s intention to allow guns to be taken into private residences, and the group would support an exemption.

“There’s a difference between a driveway at home and a parking lot at work,” he said.

Continued on next page…
"Balancing of rights"

Bill Ozier, chairman of the Tennessee Chamber of Commerce and Industry, said businesses need to be allowed to maintain a safe workplace for their employees.

“This is not an anti-gun position from the business community,” he said. “It’s more of a balancing of rights. There are lots of chamber members who are very pro-gun … hunters, target shooters. We’re not trying to restrict anyone’s rights in those areas.”

In the most recent legislative session, business groups accused the NRA of being unwilling to work toward a compromise, such as adding exemptions for employers who control access to their parking lots with gates or security guards.

In Georgia, the NRA backed a bill that offered a similar exemption.

In a bid to help reach a resolution, the chamber might go as far as proposing a bill itself during the next session, Ozier said.

“We are looking at, is there a bill that we can propose that would provide some of what the NRA and other groups are looking for, but at the same time protect the property rights of employers and property owners?” he said.

Cox said there’s always room for discussion. “But we won’t back away from our position, which is that law-abiding citizens have a fundamental right to defend themselves to and from work,” he said.

The recent shootings in Colorado and elsewhere also have highlighted the importance of having a meaningful discussion on guns-in-trunks proposals, Ozier said.

“I think it just more reinforces the feeling that we need to control what is brought onto our private property,” he said. “I’m not sure having more people armed is the answer to all of that.”

Zan Blue, who represents the Tennessee Business Roundtable, another group that opposes the gun rights measures, said recent high-profile shootings, including in Colorado, will have little impact on the outcome of next year’s legislative session.

“It’s going to have an affect on the nature of the debate, but I don’t think it’s going to change anyone’s positions,” Blue said.

Meanwhile, businesses will be watching carefully. Many hope any new law doesn’t rein in their ability to decide for themselves.

Jerry Askew, senior vice president for governmental relations at Knoxville-based Tennova Healthcare, said his company is opposed to measures that would allow guns in hospital parking lots.

“Given the increasing violence against health care workers that we see across the nation, particularly in emergency rooms, I don’t think we have any choice but to maintain our position against the introduction of more weapons at our hospitals.”

Some businesses, such as General Shale Inc., a Johnson City-based brick and concrete block manufacturer and supplier, are caught in the middle.

“We are a company with private property rights,” Mark Kinser, the company’s vice president of corporate development, said. “But we also have employees who have their rights under the Second Amendment. We have a policy that no firearms are allowed on our property. Do we search cars? No.”

Kinser said he can see both sides.

“I’m not saying we’re in support one way or another as a company,” he said. “If the legislation came through tomorrow, then we would have to address it.”

**QUESTION TO CONSIDER:**
Does the proposed legislation violate your Second Amendment right to bear arms?
Lawsuit regarding prayer at school board meetings dismissed.

Posted: Dec 10, 2014 2:58 PM EDT
Updated: Dec 20, 2014 3:03 PM EDT
By Chad Mills
By Renee Standera

COLUMBIA, SC (WIS) -

A First Amendment controversy could finally be coming to a close. A federal judge has ordered a case against a local school board to be dismissed. And it means that board members there will continue to pray before meetings.

A collection of Midlands students and a group out of Wisconsin that advocates for the separation of church and state filed a lawsuit against the School District Five of Lexington and Richland Counties two years ago. Now, that fight could be almost over.

Lexington-Richland Five board members can keep on praying, according to court documents.

"The other side of this case, they're trying to expunge religion from public life," said Oran Smith. "They're trying to separate religion and run it out of public life. I don't think that's what the founding fathers intended."

Back in 2012, four students and the Freedom From Religion Foundation sued the school district over prayers said at commencement ceremonies and later opposed the board meeting prayers too.

Both sides settled on an agreement regarding prayer at commencement ceremonies after the school district changed its policy.

But the issue of board meeting prayers was unsettled until now.

"Well, I think the argument for 'separation of church and state' would assume, somehow, that the school district is attempting to support one particular religion, and that's not the case here at all. It's a free public forum," Smith said.

The district said the prayers are "non-sectarian" and don't push one particular "faith or belief."

Smith, president of the Palmetto Family Council said that's an important distinction.

"That's the key word," Smith said. "There can't be proselytizing."

Just days ago, a federal judge filed to dismiss the case against the district. And in a previous order, Judge Cameron Currie said that the student plaintiffs had no standing -- because they never attended a board meeting during the time in question.

"The concern that I have with this is you have organizations that are filing these lawsuits, because their world is to try to force religion out of public life, and they seem to have unlimited resources to be able to do it," Smith said.

The dismissal isn't a done deal just yet as both sides are still in the process of settlement.

Because of that, the attorney for the students said it's still inappropriate to comment and reminded that the ball hasn't crossed the line just yet.

An attorney for the district told said it's a waste to keep fighting and the pre-meeting prayers will continue.

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**QUESTION TO CONSIDER:**
Do you think prayer at public meetings violate the First Amendment’s separation between church and state?
A few months later, in *Ohio v. Robinette*, the Court took its twisted logic one step further. In that case, a police officer pulled over Robert Robinette, allegedly for speeding. After checking Robinette’s license and issuing a warning (but no ticket), the officer then ordered Robinette out of his vehicle, turned on a video camera in the officer’s car, and then asked Robinette whether he was carrying any drugs and would “consent” to a search. He did. The officer found a small amount of marijuana in Robinette’s car, and a single pill, which turned out to be methamphetamine.

The Ohio Supreme Court, reviewing the case on appeal, was obviously uncomfortable with the blatant fishing expedition for drugs. The court noted that traffic stops were increasingly being used in the War on Drugs to extract “consent” for searches, and that motorists may not believe they are free to refuse consent and simply drive away. In an effort to provide some minimal protection for motorists, the Ohio court adopted a bright-line rule, that is, an unambiguous requirement that officers tell motorists they are free to leave before asking for consent to search their vehicles. At the very least, the justices reasoned, motorists should know they have the right to refuse consent and to leave, if they so choose.

The U. S. Supreme Court struck down this basic requirement as “unrealistic.” In so doing, the Court made clear to all lower courts that, from now on, the Fourth Amendment should place no meaningful constraints on the police in the War on Drugs. No one needs to be informed of their rights during a stop or search, and police may use traffic stops as well as the myth of “consent” to stop and search anyone they choose for imaginary drug crimes, whether or not any evidence of illegal drug activity actually exists.

**QUESTION TO CONSIDER:**

Does this decision (that is, not to make police officers tell motorists that they have the right to refuse consent to be searched) violate your Fourth Amendment rights against unreasonable searches and seizures?