

Due Process and the U.S. Constitution

Use the link below or the Due Process handout to answer the following questions:

<http://www.lincoln.edu/criminaljustice/hr/Dueprocess.htm>

- 1) What does the phrase “due process” embody or stand for?
- 2) Where is due process found in the Constitution?
- 3) What do the “due process” clauses prohibit?
- 4) In 1833, what did the Supreme Court rule about the 5th Amendment?
- 5) How is the due process clause in the 14th Amendment different from one in the 5th Amendment?

Over time, the U.S. Supreme Court has made decisions that have defined and expanded the idea of due process, often known as procedural due process.

Now that you have learned what due process is and where it can be found in the U.S. Constitution, you will be organized into groups and assigned a particular right that is part of procedural due process. Your group will create a presentation on poster paper for that right and will present it to the class.

Each presentation must:

- A. Define the right
- B. Identify the amendment in the Bill of Rights where this right is found
- C. Include the language from the amendment of that right
- D. Include a picture or symbol of that right
- E. Explain briefly why this should be included as due process

Presentations will be displayed around the room or in the hallway. You will walk around with your graphic organizers and collect information on each right.

Rights to be Assigned:

- **Right to Remain Silent**
- **Right to a Lawyer**
- **Right to a Speedy Trial**
- **No Illegal Searches or Seizures**
- **No Double Jeopardy**
- **Right to Trial by Jury**