



Yale-New Haven
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Curriculum Units by Fellows of the Yale-New Haven Teachers Institute
2000 Volume II: Crime and Punishment

Search and Seizure

Guide for Curriculum Unit 00.02.04
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The curriculum unit presented will examine Amendment Four of the Constitution. It will look at pivotal issues surrounding the controversy of search and seizure as they have evolved over the years. The Bill of Rights promises individuals protection against the strong hands of the government. It is the Supreme Court that has made this guarantee a practical, living reality. Often at odds with public opinion and the interests of the powerful, the Supreme Court has woven individual rights into the fabric of American life.

Teachers will find this unit helpful when studying the Constitution and the Bill of Rights. Students will come to understand that there is a delicate balance between the protections guaranteed to citizens under the Fourth Amendment and the protections provided to society from crime. This balance is constantly changing and often reflects the changing values and attitudes of our society, as well as the changing political face of the Supreme Court. Supreme Court cases will be examined and students will be challenged to think about the complex questions raised by the need to balance criminal enforcement with the value of privacy and individual freedom. This topic offers many opportunities for involving a class in lively discussions about some of the critical issues of our time.

There will be six objectives in this unit. First, students will be able to trace the development of the Fourth Amendment as well as understand the purposes it serves. Second, students will become aware of the necessary requirements that must be included in a valid search warrant. Third, students will examine the many instances when a legal search is conducted without a warrant. Fourth, students will understand that automobile searches have proven controversial and in recent years racial profiling has been examined. Fifth, students will understand the significance of the exclusionary rule. Sixth, students will examine their rights to privacy versus search in the schools.

(Recommended for U.S. History, grades 10-11.)

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