

## Lesson 9: The Supreme Court and the Bill of Rights

### Supreme Court Case Scenarios: How Would You Decide?

#### Guiding Question

- I can identify major Supreme Court cases about individual liberties.
- I can analyze landmark Supreme Court decisions related to the Bill of Rights.

Work with your group to fill in the chart for your assigned scenario(s). The first has been done for you as an example. The last row (what the Court said) will be filled in as a class at the end of the activity.

#### Scenario 1: *Tinker v. Des Moines* (1969)

**Summary:** Three students wore black armbands to their public school to protest the Vietnam War. The school had issued a warning not to engage in the protest because of fears that it would disrupt the school day and learning. The three students defied the warning and wore the armbands, and school officials asked them to remove them or be suspended. The students refused and were suspended from school.

**What happened in 10 words or less:**

**Three kids protested Vietnam War at school, got in trouble**

**Constitutional amendment that applies to the case:** First  
**BECAUSE . . .**

**Students were expressing their opinion at school (free speech).**

**How would you decide the case if you were a member of the Supreme Court? WHY?**

**Students should be allowed to protest because they weren't hurting anyone or disrupting anyone, just wearing black armbands.**

**What the Court said:**

**Students should be allowed to protest because they weren't hurting anyone or disrupting anyone, just wearing black armbands.**

#### Scenario 2: *Gideon v. Wainwright* (1963)

**Summary:** Clarence Earl Gideon was accused of breaking in to a pool hall in the middle of the night and stealing some alcohol and money from a cash register. He was arrested and charged with petty larceny. He was too poor to hire an attorney and represented himself. He was convicted and sent to jail. He filed a case in court and stated that his rights were violated.

**What happened in 10 words or less:**

**Constitutional amendment that applies to the case:** \_\_\_\_\_  
**BECAUSE . . .**

**How would you decide the case if you were a member of the Supreme Court? WHY?**

**What the Court said:**

**Scenario 3: *New York Times Company v. United States* (1971)**

**Summary:** In 1969, Pentagon worker Daniel Ellsberg was shocked when he read a classified government report on the events leading to American intervention in the Vietnam War. He copied the documents and gave a journalist access to them. The reporter brought them to the *New York Times* to print. When the newspaper began publishing the top-secret documents, the Nixon Administration tried to stop their publication.

**What happened in 10 words or less:**

**Constitutional amendment that applies to the case: \_\_\_\_\_**  
**BECAUSE . . .**

**How would you decide the case if you were a member of the Supreme Court? WHY?**

**What the Court said:**

**Scenario 4: *Miranda v. Arizona* (1966)**

**Summary:** Ernesto Miranda was arrested for suspected kidnapping and rape. He was brought to the police station and identified by the alleged victim. He was alone in the interrogation room with two police officers for two hours. He offered a written confession admitting that he had committed the crimes. He was brought to trial, found guilty, and sentenced to 20–30 years in prison.

**What happened in 10 words or less:**

**Constitutional amendment that applies to the case: \_\_\_\_\_**  
**BECAUSE . . .**

**How would you decide the case if you were a member of the Supreme Court? WHY?**

**What the Court said:**

<b>Scenario 5: <i>Engel v. Vitale</i> (1962)</b>	
<b>Summary:</b> The state of New York had a law for its public schools that encouraged students to say the Pledge of Allegiance and recite a voluntary prayer. The prayer read, “Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country. Amen.” A group of families in a school district sued.	
<b>What happened in 10 words or less:</b>	
<b>Constitutional amendment that applies to the case: _____</b> <b>BECAUSE . . .</b>	
<b>How would you decide the case if you were a member of the Supreme Court?</b> <b>WHY?</b>	
<b>What the Court said:</b>	

<b>Scenario 6: <i>Citizens United v. Federal Election Commission</i> (2010)</b>	
<b>Summary:</b> In 2008, a nonprofit group, Citizens United, tried to show and advertise a film critical of Democratic candidate Hillary Clinton. The Federal Election Commission banned the ad for violating a campaign finance law preventing ads close to a state primary. Citizens United argued that its rights were being violated.	
<b>What happened in 10 words or less:</b>	
<b>Constitutional amendment that applies to the case: _____</b> <b>BECAUSE . . .</b>	
<b>How would you decide the case if you were a member of the Supreme Court?</b> <b>WHY?</b>	
<b>What the Court said:</b>	

<b>Scenario 7: <i>Schenck v. United States</i> (1919)</b>	
<b>Summary:</b> During World War I, Charles Schenck and Elizabeth Baer were socialists who passed out a pamphlet criticizing the military draft as slavery. They advocated that the public disobey the draft and not report for service. They were arrested and convicted for violating the Espionage Act of 1917 and obstructing the draft.	
<b>What happened in 10 words or less:</b>	
<b>Constitutional amendment that applies to the case: _____</b> <b>BECAUSE . . .</b>	
<b>How would you decide the case if you were a member of the Supreme Court?</b> <b>WHY?</b>	
<b>What the Court said:</b>	

<b>Scenario 8: <i>Mapp v. Ohio</i> (1961)</b>	
<b>Summary:</b> In 1957, police learned from an informant that Dollree Mapp might be hiding a fugitive from justice allegedly connected to a bombing and illegal gambling. The police broke into Mapp's home and searched the home but did not find the fugitive. They did find obscene material, including pictures and books, and Mapp was arrested and convicted.	
<b>What happened in 10 words or less:</b>	
<b>Constitutional amendment that applies to the case: _____</b> <b>BECAUSE . . .</b>	
<b>How would you decide the case if you were a member of the Supreme Court?</b> <b>WHY?</b>	
<b>What the Court said:</b>	

<b>Scenario 9: <i>McDonald v. Chicago</i> (2010)</b>	
<b>Summary:</b> In 2008, the Supreme Court issued a decision in <i>District of Columbia v. Heller</i> , overturning Washington, DC, laws that made possession of an unregistered firearm illegal and also prevented anyone from registering a handgun. The day after, several people in Chicago filed suit against laws there that prevented possession or registration of most handguns, arguing that their rights were being violated.	
<b>What happened in 10 words or less:</b>	
<b>Constitutional amendment that applies to the case: _____</b> <b>BECAUSE . . .</b>	
<b>How would you decide the case if you were a member of the Supreme Court?</b> <b>WHY?</b>	
<b>What the Court said:</b>	

## Concluding Questions

1. Did any of the Supreme Court decisions surprise you? Explain.
2. Which case did you find to be the most relevant to your life? Explain.
3. How does the content in this activity illustrate the Founding Principle of checks and balances?