

Alexander Hamilton

“No legislative act contrary to the Constitution can be valid”

Thursday: Which word best describes Alexander Hamilton’s meaning by “contrary to the constitution” in this quote?

- a. Congress
- b. Veto
- c. Unconstitutional
- d. Override

Early Release Bell Schedule

7:45.....	Enter the Bldg.
8:15.....	Start of Instructional Day Bell
8:20.....	Tardy Bell
8:25-9:20.....	1 st Period
9:20-9:25.....	Change Class
9:25-10:20.....	2 nd Period
10:20-10:25.....	Change Class
10:25-11:20.....	3 rd Period
11:20-11:25.....	Change Class
11:25-12:15	4 th Period
12:15-12:30.....	Lunch/Dismissal

The Law

Unit 7

Unit 7 Essential Question: Is our justice system broken, or is it just fine? Explain your process on coming to this conclusion. Support your argument with at least 3 sources.

Unit 7.1 Essential Question: Explain the purpose for why we have different types of laws.

- 4th Amendment
- 5th Amendment
- Right to counsel
- Impartial Tribunal
- Presumption of Innocence
- Federal Jurisdiction
- State Jurisdiction
- Local Jurisdiction
- Constitutional Law
- Administrative Law
- Statutory Law
- Common Law
- International Law
- Criminal Law
- Civil Law

What are the rights of the accused?

- **4th Amendment** - warrant needed to search belongings
- **5th Amendment** - double jeopardy, self-incrimination, grand jury, and due process
- *Gideon v Wainwright* - right to counsel
- *Gregg v Georgia* / *Furman v Georgia* - cruel and unusual punishment

Which of these rights are you the most thankful for?

What are the other rights of the accused?

- **Right to appeal** - ask for a higher court to review your case
- **Impartial Tribunal** - unbiased court
- **Presumption of Innocence** - “innocent until proven guilty”

How important is it to be “innocent until proven guilty”?

What is in federal jurisdiction?

- Federal Laws
 - Federal Court
 - Federal Prison
 - Dept of Justice
 - FBI
 - DEA
 - Dept of Homeland Security

When might you interact with this level of jurisdiction?

What is in state jurisdiction?

- State Statutes
 - State Courts
 - State Prison
 - NC Dept of Justice
 - SBI

When might you interact with this level of jurisdiction?

What is in local jurisdiction?

- Local Ordinances
 - Magistrate / Municipal Courts
 - Jail
 - State Trooper
 - Sheriff
 - Deputy
 - City Police

When might you interact with this level of jurisdiction?

What are the different types of laws?

- **Constitutional** - rules from the Constitution
- **Administrative / Regulatory** - laws created by executive branches' govt agencies
- **Statutory** - laws created by legislature
- **Common** - laws based on precedent (judge's previous rulings)
- **International** - laws governing world issues
- **Criminal** - laws that prevent crime
- **Civil** - laws between people

Essential Question: Explain the purpose for why we have different types of laws.

Exit Ticket: Unit 7.1 Exit Ticket Turn in Box

1. Complete the [Types of Laws Practice Worksheet](#)

STOP RESISTING!!



STEP OUT OF THE CAR PLEASE



Misdemeanors are punishable by more substantial fines and sometimes jail time, usually less than one year. Felonies are the most serious type of crime and are often classified by degrees, with a first degree felony being the most serious. Felonies are punishable by substantial fines and prison sentences in excess of one year. If you are convicted of felony, you will most likely serve your jail time in a state or federal correctional institution.

Monday: If “Kickback” Jack is convicted and sentenced to serve 6 years in federal prison, what might Jack have been charged with?

- a. A misdemeanor
- b. A crime
- c. Jail time
- d. A felony

Unit 7.2 Essential Question: In your own words, summarize and provide at least one example of each category of crime.

- Crime
- Criminal
- Felonies
- Misdemeanors

What is a crime?

Crime: any act that breaks the law

Criminal: a person who commits a crime

Why might someone commit a crime?

What are the two types of crimes?

1. **Felonies**: serious crimes
2. **Misdemeanors**: less serious crimes

What are some examples of Felonies? Misdemeanors?

What are the 5 categories of crimes?

1. Crimes against people
 - a. Murder
 - i. 1st Degree
 - ii. 2nd Degree
 - iii. Manslaughter
 - b. Assault
 - c. Rape
 - d. Hate Crimes

What is the difference between the types of murder?

What are the 5 categories of crimes?

2. Crimes against property
 - a. Larceny - theft
 - b. Robbery - theft with force
 - c. Arson
 - d. Vandalism

Why might somebody steal?

What are the 5 categories of crimes?

3. Victimless Crimes

- a. Gambling
- b. Drugs

Are these actually “victimless”? Who is the victim?

What are the 5 categories of crimes?

4. White Collar Crimes

- a. Copyright infringement
- b. Embezzlement
- c. Computer Hacking
- d. Identity Theft

Why are these called “white collar” crimes?

What are the 5 categories of crimes?

5. Organized Crime

a. Prostitution

b. Drug Trafficking

How are these “organized”?

Essential Question: In your own words, summarize and provide at least one example of each category of crime.

Exit Ticket: [Unit 7.2 Exit Ticket Turn in Box](#)

1. From the perspective of a police officer, tell me about some of the criminals you have seen while on the force.
 - a. Must include at least 3 stories of 3 criminals committing 3 different categories of crime.

Unit 7.3 Essential Question: Explain the criminal law process in detail.

- Probable Cause
- Arrest
- Arrest Warrant
- Booking
- Bail
- Preliminary Hearing (Unit 6)
- Indictment
- Grand Jury (Unit 6)
- Arraignment
- Plea
- Plea Bargain
- Trial
- Petit Jury
- Acquit
- Convict
- Sentencing (Unit 6)
- Penal Code
- Indeterminate Sentencing
- Mandatory Sentencing
- Adversarial Nature

How do you get from an arrest, to sentencing?

1. Probable Cause

- a. There is enough evidence to make an arrest

Why is evidence so important?

How do you get from an arrest, to sentencing?

2. Arrest

- a. **Arrest Warrant**: Court's permission to make an arrest
- b. Any time before Booking - Suspect is read **Miranda Rights** and taken into police custody

How do you get from an arrest, to sentencing?

3. Booking

- a. Suspect charged with crime
- b. Fingerprinted and photographed
- c. Allowed to call lawyer
- d. Assigned **bail** - money to ensure that you come back to court

How long will it take to get from arrest to trial?

How do you get from an arrest, to sentencing?

4. Preliminary Hearing

- a. Suspect formally informed of charges against him / her
- b. Suspect becomes the “Defendant”
- c. Judge may ask for a Writ of Habeas Corpus to ensure that there is enough evidence for a trial

How do you get from an arrest, to sentencing?

5. Indictment

- a. **Grand Jury** - up to 24 jurors decide if there's enough evidence to go to trial
- b. Indictment - statement that formally accuses the defendant of the crime
- c. The indictment is issued by the Grand Jury - Only federal level does this though

Should you have a trial if there isn't enough evidence against the defendant?

How do you get from an arrest, to sentencing?

6. Arraignment

- a. Defendant issues plea
 - i. Guilty - goes straight to sentencing
 - ii. Not Guilty - goes to trial
- b. Defendant can plea bargain - defendant pleads guilty to a lesser offense, and receives a lesser punishment

Why might a plea bargain be a good deal? What is the defendant giving up?

How do you get from an arrest, to sentencing?

7. Trial

- a. **Petit Jury** - 12 jurors - hears a case and issues a verdict
 - i. **Acquit** - defendant is found not guilty
 - ii. **Convict** - defendant is found guilty

If the glove does not fit... you must _____ .

How do you get from an arrest, to sentencing?

8. Sentencing

- a. Judge decides punishment according to the penal code
 - i. **Penal code** - a set of criminal laws - outlines crimes and punishments
- b. Possible punishments: jail, probation, fine, parole, death
- c. **Indeterminate Sentencing** - minimum and maximum sentence (murder = 25 to life)
- d. **Mandatory Sentencing** - a fixed punishment (illegal parking = \$250 fine)

Will the whole truth be revealed in the court?

Due to the **Adversarial Nature** of the court, both attorneys want to win the case regardless of the truth. This often leads to the truth being left out in the court cases themselves.

Essential Question: Explain the criminal law process in detail.

Exit Ticket: [Unit 7.3 Exit Ticket Turn in Box](#)

1. Create a flowchart of the steps involved in the criminal law process using [THIS TEMPLATE.](#)
2. Create a story of someone going through the criminal law process using the following vocab words: Probable Cause, Miranda Rights, Preliminary Hearing, Grand Jury, Arraignment, Trial, Sentencing.
3. At the bottom of your story: Do you believe that people are innocent until proven guilty? If not, should they be? Explain why or why not?

Conviction of a felony brings with it more disadvantages than just higher fines and longer jail time. In some states, persons convicted of felonies cannot serve on juries, or purchase or possess firearms and may not be employed in certain professions, such as law, teaching, or the military.

Wednesday: After “Kickback” Jack was convicted of his felony, which of these rights couldn’t be taken away by the federal government?

- a. Ability to own a firearm
- b. Freedom of speech
- c. Ability to become a teacher
- d. Ability to participate in a jury

Unit 7.4 Essential Question: Explain the process one would experience in a civil trial.

- Civil Law
- Plaintiff (Unit 6)
- Defendant (Unit 6)
- Tort
- Summons
- Mediation
- Arbitration

Who are the parties involved in Civil Law?

Civil Law - deals with disputes between individuals / groups in which compensation (\$\$\$) may be awarded to the victim

Plaintiff - person who accuses against another person

Defendant - person accused

Plaintiff = Complaint... iff... complaintiff.

What are some examples of civil cases?

- Divorce
- Custody
- Contracts
- Property
- Harm / Neglect - “Tort Laws”

What are some examples of tort cases?

What are the 6 steps involved in the Civil Law Process?

1. Complaint Filed

- a. Plaintiff's attorney files complaint that describes nature of crime

What step is this similar to in the Criminal process?

What are the 6 steps involved in the Civil Law Process?

2. Summons

- a. Court sends summons (order to appear in court) to defendant

Is this person under arrest?

What are the 6 steps involved in the Civil Law Process?

3. Defendant Responds

- a. Defendant's Attorney files written answer

What are the 6 steps involved in the Civil Law Process?

4. Pleadings

- a. Both sides file pleadings documents - complaints and answer taken together

What happens if they respond as guilty and accepting all punishment?

What are the 6 steps involved in the Civil Law Process?

5. Court

a. Both sides argue case in court

Will all of the truth be brought out in the trial?

What are the 6 steps involved in the Civil Law Process?

6. Verdict

- a. Court gives verdict - the decision about who wins the case

Usually, what does the Plaintiff receive if they win the case?

How can your civil case be settled out of court?

Mediation: 2 parties meet and try to compromise

Arbitration: an arbitrator acts as a judge by reviewing the case and making the decision

Why might you want to settle out of court?

Essential Question: Explain the process one would experience in a civil trial.

Exit Ticket: [Unit 7.4 Exit Ticket Turn in Box](#)

1. Create a flowchart of the steps involved in the criminal law process using [THIS TEMPLATE.](#)





Being convicted of a felony means that you are found guilty in a court of law. If you are acquitted, then you have been found innocent. After you are acquitted, you are set free. However, if alligators are convicted, then the judge will deliver your sentence according to the penal code. If you are still reading this, the correct answer to the question is the third available choice. Back to butterflies though. People convicted of felonies may lose certain rights such as the ability to serve on juries, purchase or possess firearms and may not be employed in certain professions, such as law, teaching, playing with sea lions, or serving in the kangaroo military.

Thursday: Which of the following is a felony?

- a. Alligators
- b. Butterflies
- c. Kangaroos
- d. Sea Lions

Unit 7.5 Essential Question: Explain how juveniles are protected under the law.

- Juvenile
- Juvenile Delinquent
- Rehabilitation

What is a juvenile delinquent?

- Juvenile: a person under the age of 18 (16 in NC)
- Juvenile Delinquent: a juvenile that breaks the law

When do you feel like a person should be treated as an “adult”?

When can a juvenile be treated as an adult in NC?

- 14-15 year olds that commit a felony

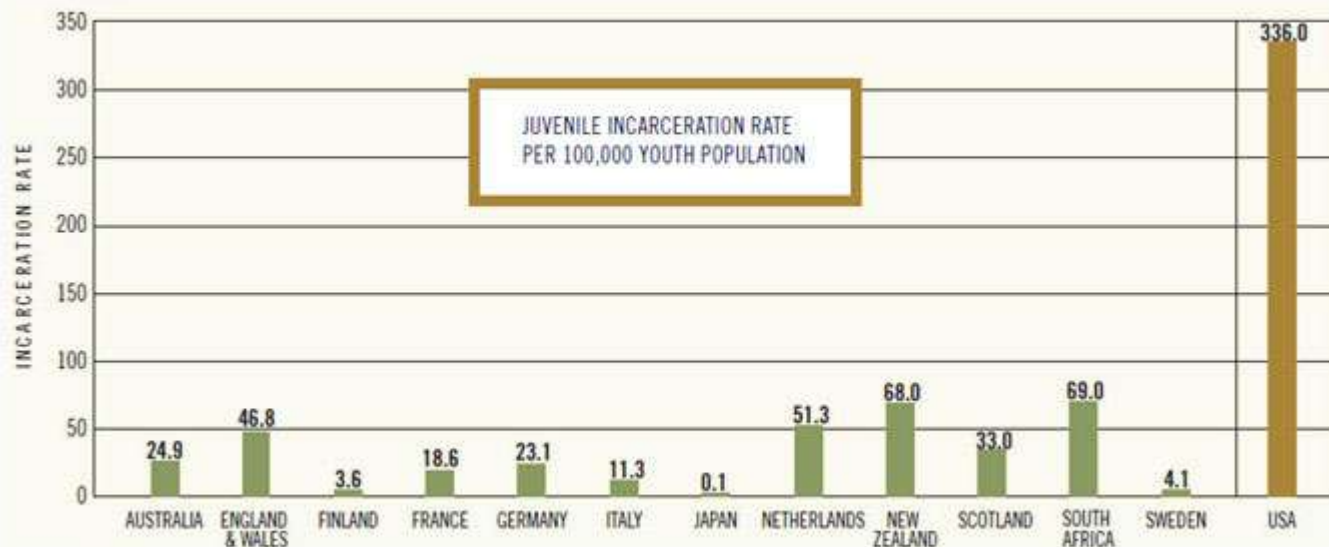
Should juveniles be held as accountable as an adult for their actions?

What are some causes of juvenile crime?

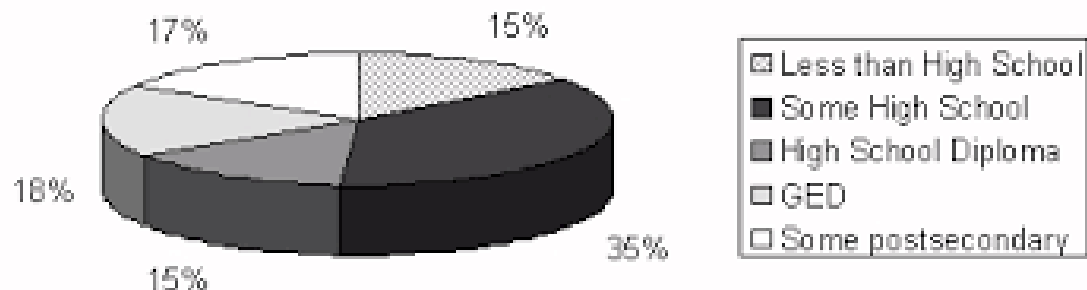
- Poor home conditions
- Poor neighborhood conditions
- Drugs and alcohol
- Gang memberships
- Peer Pressure
- Dropping out of school

Who is at fault for these causes?

Youth incarceration rate: US versus other nations



Credit: voxeu.org, based on data from Hazel, Neal, Cross-National Comparison of Youth Justice, 2008



What are the consequences of juvenile delinquency?

- Foster Care
- Juvenile Corrections (like Jail)
- Probation
- Counseling

Goal is Rehabilitation

How can you rehabilitate juvenile criminals?

Essential Question: Explain how juveniles are protected under the law.

Exit Ticket: Catch up on late work!

“Kickback” Jack has been having a hard time paying the mortgage on his mobile home because he has been out of work for the last 4 months. He is out of options and decides that he must rob a bank to make ends meet. “Kickback” Jack robs the BB&T on Greenville Blvd and makes off with \$548. Unfortunately there is a surveillance tape and “Kickback” Jack is quickly caught. Armed robbery is a serious crime in N.C.”

Friday: Which court will “Kickback” Jack most likely be going to for his part in the crime?

- a. NC District Court
- b. NC Superior Court
- c. US Appellate Court
- d. US Supreme Court

Monday: Research has shown there is a direct correlation between education and arrest rate. What is the correct order of education levels from most likely to be arrested to least likely to be arrested?

- a. High school degree, GED, some high school, some college
- b. Some college, GED, high school degree, some high school
- c. Some high school, GED, high school degree, some college
- d. GED, some college, some high school, high school degree