



NSDAR Educational Resources Committee

“Rights and the Fifth Amendment of the United States Constitution”

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Grade Level: 12

1. Identify the standards to be addressed:

How Does the Government Established by the Constitution Embody the Purposes, Values, and Principles of American Democracy?

2. Statement of the objective and lesson outcomes:

Students will learn some ways that the protections of the 5th Amendment affect their lives. Students will retain concrete examples.

3. Materials, resources, and technology to be used by teacher/students:

- A. The Text of the Amendment: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence [sic] to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”
- B. Video from YouTube from the Khan Academy and the National Constitution Center. <https://www.youtube.com/watch?v=nh78-VKSBUY&t=3s> 2018; use on laptops, tablets or LCD projector.

4. Introduction of the topic:

The teacher will tell the class that they will find 5 practical ways that the amendment protects them. The students will view and listen to the video and be attentive to the 5 protections. Taking notes will be encouraged.

5. Procedure for instruction:

The video is reviewed. Then the students are divided into 4- 5 groups. The first three groups will assume that they are an innocent persons arrested for a crime they did not commit. One group will be asked to find a protection from the first phrase of the amendment: the second group the second phrase, and the third group the third phrase of the amendment. Those groups will also be asked to discuss what might happen to them without the protection. They may include historical references from the video, or they may predict what could happen or both. The last 1-2 groups will assume that the orchard on their family’s farm or their front lawn is needed for a new highway. Those groups will find the remaining protections in the amendment and also comment on what might happen if the protections were absent. Each group will have 15 minutes. Each group will appoint a spokesperson but the teacher will reserve the right to ask other group members their opinions.

6. Lesson closure:

The teacher will summarize the 5 protections.

7. Assessment of student understanding:

The teacher will ask each student to write a short paragraph summarizing the protections either as homework or during the next class period in order to determine if the knowledge is retained.