

*American Government: Stories of a Nation for the AP® Course*

Guided Reading

Section 8.5: The Rights of Defendants

Name \_\_\_\_\_  
Date \_\_\_\_\_ Class \_\_\_\_\_

 **Before you read**

**Before reading this section, take a moment to read the Learning Target and vocabulary terms you will encounter.**

**Learning Target:** Examine the protections placed within the Bill of Rights for those accused of, tried for, and convicted of crimes.

**AP® Key Concepts**

ex post facto laws

bill of attainder

writ of habeas corpus

procedural due process

warrant

probable cause

exclusionary rule

grand jury

double jeopardy

Miranda rights

bail

 **While you read**

**Use the following table to take notes as you read the section.**

<b>Amendments / Supreme Court decisions</b>	<b>Protections for defendants</b>	<b>Impact on politics</b>

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 **After you read**

Once you've finished reading the section, answer the following questions.

1. The detention of Yaser Hamdi in Guantanamo Bay during the Obama administration was a violation of his right to:

- A. a bill of attainder.
- B. a writ of habeas corpus.
- C. procedural due process.
- D. protection from ex post facto laws.

2. Which statement BEST defines procedural due process?

- A. a law that is passed by Congress that punishes an individual without a trial
- B. a document that outlines the reason for an arrest or detention
- C. a judicial standard that requires that fairness be applied to all individuals equally
- D. a law criminalizing conduct that was legal when it occurred

3. A \_\_\_\_\_ is a document issued by a judge authorizing a search.

4. The exclusionary rule is:

- A. a rule that evidence obtained without a warrant is inadmissible in court.
- B. a rule that evidence obtained without probable cause is inadmissible in court.
- C. a rule that all evidence not pertaining to the crime must be excluded.
- D. a rule that any evidence not found within forty-eight hours of the crime must be excluded.

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5. A crime has been committed, and the police have arrived on the scene. There is a gun on the ground and a body next to the gun. Based on precedent, the gun would be:
- A. admissible in court.
  - B. inadmissible in court.
  - C. inadmissible unless a warrant was obtained.
  - D. irrelevant to the crime.
6. What is a grand jury?
- A. a group of citizens who decide whether or not a person is guilty or innocent
  - B. a jury in a criminal trial
  - C. a jury made up of greater than ten people
  - D. a group of citizens who decide whether or not to indict someone on criminal charges
7. What was the outcome of *Miranda v. Arizona*?
- A. the concept of double jeopardy
  - B. the rights to remain silent and have an attorney present during questioning
  - C. the establishment of a grand jury
  - D. the fact that evidence obtained without a warrant would be inadmissible in court
8. Which case extended the right to an attorney for those unable to afford one in state criminal cases?
- A. *Miranda v. Arizona*
  - B. *McDonald v. Chicago*
  - C. *Gideon v. Wainwright*
  - D. *District of Columbia v. Heller*
9. Bail is defined as:
- A. an amount of money posted as a security to allow the charged individual to be freed while awaiting trial.
  - B. the amount of money posted to be released from jail once all charges have been cleared.
  - C. the amount of money charged by a lawyer for representation in trial.
  - D. the amount of money posted as a reward for catching a criminal.
10. It is the mid-1970s and Eleanor is a human rights activist who does not support the death penalty and believes that states that use it discriminate against African Americans, who she believes receive the death penalty more often. Eleanor would likely support the decision made in:
- A. *Gregg v. Georgia*.
  - B. *Gideon v. Wainwright*.
  - C. *Furman v. Georgia*.
  - D. *Miranda v. Arizona*.