**Assignment 3: The Rights of Citizens**

It is important to understand your responsibilities as a criminal justice professional when engaging with citizens. This assignment is broken into three (3) parts and you must complete each part of the assignment. Each part includes a text or video scenario to which you will respond by writing a one to two (1-2) page paper for each scenario that examines specific information regarding the events using your knowledge of the Constitution.

**Part I: Law Enforcement Officer Arrives at the Scene Scenario**

Read the text scenario below:

An eighteen-year-old high school student walks to class carrying a backpack. He is stopped by the school security guard and his backpack is searched. A loaded handgun is discovered.  The school security guard takes the student to the principal’s office. The principal calls the local police.  In the state where the school is located, it is illegal to carry a concealed weapon without a permit and all weapons are prohibited on campus.

Officer Smith arrives at the school approximately 10 minutes later.  Officer Smith takes a statement from the school security guard and searches the student’s backpack. He seizes the gun and places the student under arrest.  Officer Smith then asks the student if he would like to make a statement to explain why he was carrying a concealed weapon on campus.

The student replies, “What weapon? That’s not my backpack and I never saw that gun before.”

The student is then transported to the local jail. However, on the way to the local jail, Officer Smith asks the student again why he brought a loaded gun on campus. The student admits that it was his gun and stated that he needed it for protection.  Upon arrival at the local jail, the student is booked.  Six hours later, the student is interviewed by a Detective Columbo.  The detective reads the student his Miranda warning and asks the student if he would like to make a statement.

The student replies, “No, I want a lawyer.”

Write a one to two (1-2) page paper in which you:

1. Examine the Constitutional Amendment(s) that would relate to this situation.
2. Outline the appropriate procedures you would need to follow to comply with the associated Amendments to ensure admissibility of evidence.
3. Evaluate the officer’s actions and determine whether his search, the student’s confession, and the weapon discovery were lawful and/or admissible. Provide a rationale for your opinion.
4. Use at least two (2) quality references. Consider using the Cornell Law website located at <https://www.law.cornell.edu/constitution/index.html>. Note: Wikipedia and similar websites do not qualify as academic resources.

**Part II: Arrest and Trial Scenario**

Read the text scenario below:

Tyler, a well-known escort service provider in his community, is suspected of the murder of an escort who worked for him. The local police met Tyler at the airport when he arrived from a trip to Cancun. He is arrested for his suspected connection to the murder of the escort. The police do not inform Tyler of his right to remain silent or his right to counsel. They immediately begin to interrogate him. They continue to question him until he admits that he knew the prostitute and that she worked for him. He also admits that he was with her the night of the alleged murder. Tyler is transported to the local jail and booked. The prosecutor files charges of First Degree Murder against Tyler. Tyler does not waive his rights to a speedy trial. He asks that an attorney be appointed and demands a trial by jury.

Write a one to two (1-2) page paper in which you:

1. Examine the Constitutional Amendment(s) that would relate to this situation.
2. Identify and discuss four (4) elements of arrest.
3. Identify and discuss the Constitutional Amendments that would relate to this situation.
4. Describe the appropriate procedures to comply with Tyler’s rights to due process.
5. Examine any potential consequences that might occur if his right to due process is violated.
6. Use at least two (2) quality references. Note: Wikipedia and similar websites do not qualify as academic resources.

**Part III: Correctional Officers and Rights of Inmates**

[Hudson v. McMillian](https://www.law.cornell.edu/supremecourt/text/503/1) is a U.S. Supreme court case involving the excessive force resulting in a claim of cruel and unusual punishment under the Eighth Amendment. The court’s decision resulted in the five-pronged Hudson test, also known as PANAM:

* **(P)**erceived threat by correctional officers;
* **(A)**ny and all efforts to deescalate;
* **(N)**eed for the application of force;
* **(A)**mount of force that was used and;
* **(M)**edical issues, and extent of any injuries, that are used to evaluate cases involving any use of force before trial and after conviction.

The test helps the courts determine whether correctional officers’ actions were reasonable, necessary, and conducted in good faith (as opposed to malicious, unreasonable, and unnecessary).

Watch the video scenario and take notes as you watch: [CJ in Practice Constitutional Issue: Depravation of Inmates’ Rights](https://players.brightcove.net/268012963001/Sy9lbkRKl_default/index.html?videoId=ref:cd-crim-anim-CJanim23-CA03304&secureConnections=true&secureHTMLConnections=true&autoStart=false)

Write a one to two (1-2) page report in which you:

1. Summarize the events of this scenario and the persons involved.
2. Examine the Constitutional Amendments that would relate to this situation and whether the rights of the inmates in this scenario were violated. Support your opinion.
3. Determine whether the incidents pass the five-pronged Hudson test discussed above.
4. Recommend how the Sergeant should respond to the behavior of the officer(s). Support your response.
5. . Note: Wikipedia and similar websites do not qualify as academic resources.

**Your assignment must follow these formatting requirements:**

* Take a moment to review the SWS documentation for details. If you prefer to use APA style, discuss with your professor.
* Be typed, double spaced, using Times New Roman font (size 12), with one-inch margins on all sides; references must follow SWS or school-specific format. Check with your professor for any additional instructions.
* Include a cover page containing the title of the assignment, the student’s name, the professor’s name, the course title, and the date. The cover page and the reference page are not included in the required page length.