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| Bank Item Number | G.C.2.5.L1 |
| Benchmark | SS.7.C.2.5  |
| Cognitive Complexity  | Low |
| Item | Which type of law makes an act a crime after it has been committed? |
| A | summary judgment |
| B | double jeopardy |
| C | habeas corpus |
| D | ex post facto |

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| Bank Item Number | G.C.2.5.L1 |
| Benchmark | SS.7.C.2.5  |
| Cognitive Complexity  | Low |
| Item | Which type of law makes an act a crime after it has been committed? |
| A | summary judgment | **Incorrect**-Summary judgment is a type of decision made by a court.  |
| B | double jeopardy | **Incorrect**-Double jeopardy occurs when someone is tried twice for the same crime. |
| C | habeas corpus | **Incorrect**-Habeas corpus is a protection from being illegally detained, or jailed.  |
| D | ex post facto | ***Correct***-An ex post facto law, or “after the fact”, is a law passed that makes a previously legal activity illegal.  |

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| Bank Item Number | G.C.2.5.M1 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | What is the significance of the U.S. Supreme Court opinion that words creating a “clear and present danger” are not protected by the First Amendment?  |
| A | The Constitution limits individual rights. |
| B | The Constitution safeguards individual rights. |
| C | The Constitution does not limit individual rights. |
| D | The Constitution does not safeguard individual rights. |

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| Bank Item Number | G.C.2.5.M1 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | What is the significance of the U.S. Supreme Court opinion that words creating a “clear and present danger” are not protected by the First Amendment?  |
| A | The Constitution limits individual rights. | ***Correct***-While the First Amendment protects freedom of speech this U.S. Supreme Court opinion shows that not all speech is protected.  |
| B | The Constitution safeguards individual rights. | **Incorrect**-While the First Amendment protects freedom of speech this U.S. Supreme Court opinion shows limits on free speech.  |
| C | The Constitution does not limit individual rights. | **Incorrect**-While the First Amendment protects freedom of speech the U.S. Supreme Court established that there are limits on this right in this case.  |
| D | The Constitution does not safeguard individual rights. | **Incorrect**-While the First Amendment protects freedom of speech the U.S. Supreme Court did not safeguard individual rights in this case.  |

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| Bank Item Number | G.C.2.5.M2 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | Below is a statement from Chief Justice John Roberts. “…students do not shed their First Amendment rights at the school house gate.”Source: *Morse v. Frederick* (2007) Why is this statement significant?  |
| A | The Constitution limits individual rights. |
| B | The Constitution safeguards individual rights. |
| C | The Constitution does not limit individual rights. |
| D | The Constitution does not safeguard individual rights. |

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| Bank Item Number | G.C.2.5.M2 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | Below is a statement from Chief Justice John Roberts. “…students do not shed their First Amendment rights at the school house gate.”Source: *Morse v. Frederick* (2007) Why is this statement significant?  |
| A | The Constitution limits individual rights. | **Incorrect**-The statement by Chief Justice Roberts suggests that the First Amendment rights of students are not taken away, or limited, while they are in school.  |
| B | The Constitution safeguards individual rights. | ***Correct***- The statement by Chief Justice Roberts suggests that the First Amendment rights of students are protected while they are in school. |
| C | The Constitution does not limit individual rights. | **Incorrect**-U.S. Supreme Court decisions have limited individual rights for the sake of the common good.  |
| D | The Constitution does not safeguard individual rights. | **Incorrect**-The statement by Chief Justice Roberts shows that the First Amendment to the U.S. Constitution safeguards individual rights.  |

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| Bank Item Number | G.C.2.5.M3 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | The statement below is from a U.S. Supreme Court decision.A person who is a resident of a loyal State, where he was arrested, who was never resident in any State engaged in rebellion, nor connected with the military or naval service, cannot be regarded as a prisoner of war.Source: *Ex parte Milligan* (1866) What constitutional safeguard does this passage describe?  |
| A | *writ of certiorari*  |
| B | *habeas corpus*  |
| C | *ex post facto* |
| D | *stare decisis* |

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| Bank Item Number | G.C.2.5.M3 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | Moderate |
| Item | The statement below is from a U.S. Supreme Court decision.A person who is a resident of a loyal State, where he was arrested, who was never resident in any State engaged in rebellion, nor connected with the military or naval service, cannot be regarded as a prisoner of war.Source: *Ex parte Milligan* (1866) What constitutional safeguard does this passage describe?  |
| A | *writ of certiorari*  | **Incorrect**-A writ of certiorari is issued by the U.S. Supreme Court when it decides to hear a case on appeal.  |
| B | *habeas corpus*  | ***Correct***-Habeas corpus is a protection from being illegally detained, or jailed.  |
| C | *ex post facto* | **Incorrect**- An ex post facto law, or “after the fact”, is a law passed that makes a previously legal activity illegal.  |
| D | *stare decisis* | **Incorrect**-Stare decisis is the legal approach that determines whether a decision should be based on precedent.  |

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| Bank Item Number | G.C.2.5.H1 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | High |
| Item | The timeline below shows events related to the death penalty.

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| **Year** | **Event** |
| 1957-1972 | Several states abolish the death penalty.  |
| 1968 | The U.S. Supreme Court forbids jurors from being dismissed because they oppose the death penalty.  |
| 1988 | The U.S. Supreme Court rules the death penalty for persons 16 and under to be unconstitutional.  |
| 1994 | President Clinton signs a crime bill that allows expanded use of the death penalty.  |
| 1996 | Death penalty by hanging and by gas chamber ends. |
| 2012 | Connecticut repeals the death penalty |

What constitutional protections have resulted from these events?  |
| A | Constitutional protections from cruel and unusual punishment are safeguarded while executions continue. |
| B | Constitutional protections from cruel and unusual punishment are limited while executions continue. |
| C | Constitutional protections of due process of law are safeguarded while executions continue. |
| D | Constitutional protections of due process of law are limited while executions continue. |

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| Bank Item Number | G.C.2.5.H1 |
| Benchmark | SS.7.C.2.5 |
| Cognitive Complexity | High |
| Item | The timeline below shows events related to the death penalty.

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| **Year** | **Event** |
| 1957-1972 | Several states abolish the death penalty.  |
| 1968 | The U.S. Supreme Court forbids jurors from being dismissed because they oppose the death penalty.  |
| 1988 | The U.S. Supreme Court rules the death penalty for persons 16 and under to be unconstitutional.  |
| 1994 | President Clinton signs a crime bill that allows expanded use of the death penalty.  |
| 1996 | Death penalty by hanging and by gas chamber ends. |
| 2012 | Connecticut repeals the death penalty |

What constitutional protections have resulted from these events?  |
| A | Constitutional protections from cruel and unusual punishment are safeguarded while executions continue. | ***Correct***-Protections from cruel and unusual punishment are safeguarded, such as ending certain forms of the death penalty and the U.S. Supreme Court determining that minors may not be executed, while executions continue to be allowed (though not required in every state).  |
| B | Constitutional protections from cruel and unusual punishment are limited while executions continue. | **Incorrect**- Protections from cruel and unusual punishment are not limited as certain forms of the death penalty were ended during this time period and the U.S. Supreme Court determined that minors may not be executed.  |
| C | Constitutional protections of due process of law are safeguarded while executions continue. | **Incorrect**-The focus of the timeline is on safeguarding protection from cruel and unusual punishment and not on due process.  |
| D | Constitutional protections of due process of law are limited while executions continue. | **Incorrect**-The timeline does not focus on due process of law while executions continue, according to the timeline.  |