Criminal Law Foundations Evaluation

[Author’s name]

[Institute’s name]

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**Introduction**

The constitution of the United States of America is recognized as one oldest documented constitution that is established to provide fundamental legal protection to American citizens. The significance of the constitution can be observed in the form development of the country’s national government according to basic legislative form. This constitution was signed on September 17, 1787, by representatives of the Constitutional Convention. It is noteworthy to mention that the supreme law of the country originally comprised of seven basic articles. Gradually, the country’s constitution is upgraded by initiating different and important amendments over the years. These legal amendments played a critical role in the overall legal structure in the country with the objective of protecting the basic citizenship rights of every citizen. The 4th, 5th, and 6th Amendments to the United States Constitution are characterized as the constitutional safeguards concerning the domains of both adult and juvenile court proceedings. This paper focuses to identify and critically analyze the constitutional safeguards position in the case of 4th, 5th, and 6th Amendments by considering the day-to-day operation of adult and juvenile courts.

**Discussion**

4th, 5th, and 6th amendments in the country’s constitution are categorized as major developments when it comes to providing necessary protection to the people effectively and efficiently. There are many basic rights in the form of constitutional safeguards that are acknowledged by the constitution of the United States of America through the practical implications of the 4th, 5th, and 6th amendments. The most prominent legal aspect of these legal amendments is that it actively considered the fundamental rights of the accused in both cases of adult and juvenile convicts.

Various forms of criminal rights are catered through the updated legal position of 4th, 5th, and 6th amendments in the constitution. The approach of “bill of rights” is legally developed in the country through the practical options of 4th, 5th, and 6th amendments. It is vital to explain all these amendments separately to recognize the legal position of these constitutional measures.

**4th Amendment: Right in case of Arbitrary Search and Seizure**

This specific constitutional amendment provided legal protection to the people against the domain of unreasonable searches and seizures (Clancy, 2012). It is explicitly explained that the legal approach of searches should not be violated and the perspective of Warrants.

**5th Amendment: Right to Remain Silent During Legal Process**

This amendment acknowledged the right of every individual to remain silent during the legal hearing. This legal possession provided constitutional safeguards to the potential convicts in case of a legal hearing. It is clearly mentioned that no individual is restricted to answer for a capital or any form of an infamous crime.

**6th Amendment: Right to Counsel in All Criminal Trials**

  The 6th amendment of the constitution also has a prominent legal spectrum for the country’s citizens. This amendment ensures the basic rights to all the criminal defendants mainly appeared as the basic right to a public trial in the form of speedy hearing. The right to a lawyer is another significant legal approach that can be observed in the case of the application of the 6th amendment of the constitution.

**Constitutional Safeguards of the 4th, 5th, and 6th Amendments to the US Constitution**

There are various forms of constitutional safeguards guaranteed by the US constitution mainly through the legal perspectives of 4th, 5th, and 6th amendments. These legal domains under the criminal justice system ensure necessary protection to people against the phenomenon of discrimination. These amendments are mainly crafted to establish the legal rights of alleged criminals in both cases of adults and juveniles (Davies, 2010). The entire proceeding of courts has been transformed through the application of these significant safeguards. It is an obligatory condition for the courts to conduct the entire process of trials by assuring the successful application of safeguards through these legal protections. It is significant to examine the influence of these safeguards in different forms to evaluate the successful implications of the 4th, 5th, and 6th amendments of the constitution.

***Right to Counsel***

The 6th amendment of the country’s constitution ensures the right to counsel for all the convicts considering the routine trial operations in both cases of adult and juvenile convicts. This is the constitutional safeguard that influenced the overall spectrum of proceeding under the country’s rule. The 6th amendment of the constitution provides the basic right to counsel to every defendant in the form of federal tribunals. In simple words, the constitution of the country accepted convicts’ right to present themselves during the trial by an attorney.

***Miranda Warnings***

The defendants’ right of Miranda warnings are established under the legal position of the 5th amendment in the constitution. This specific right is defined as the notification given by police to defendants in police custody (Rogers et al., 2012). The right to silence is considered by the legal approach of Miranda warning. It is recognized as the individual’s fundamental right to reject to respond to any question during the investigation.

***Speedy Trials***

The constitutional safeguard of speedy trials in the case of adult and juvenile proceedings is delivered through the clause of the 6th amendment in the constitution. The legal approach considered that every convict has the legitimate right to enjoys the option of speedy trials without any delay. The specific clause in the form of the 6th amendment provides necessary protection to the defendants that the issue of delay trial can be avoided.

***The Exclusionary Rule***

The approach of the exclusionary rule is originally based on the 4th amendment in the constitution of the United States of America. It is defined as the rule of prevention in case of government from using most proof by violating the legal position of the constitution. It is significant to indicate that the legal position of the exclusionary rule was originally applied in the case of the Mapp v. Ohio case. The legal proceeding considered the evidence attained through the unreasonable sear seizure and recognized this step as the defilement of the 4th amendment of the constitution (Kerr, 2010). The constitutional safeguard in the form of exclusionary rule developed to restrain the issue of police misconduct.

***The Right to a Public Trial***

           The convict’s right to a public trial is another prominent example of a constitutional safeguard that appeared through the legal positioning of the 6th amendment. It is established that trials need to be established as a public hearing to ensure the element of transparency. In exceptional cases, the approach of trial as the secret proceeding can be regulated according to the requirements of the situation. Closures need to be decided by considering the nature of every legal case. There are many reasons that eventually made it essential to apply the legal position of the right to a public trial. The objective of a fair trial can be established through the successful application of public trial for the convicts. Moreover, allowing people to observe the entire court proceeding enhanced the approach of accountability of the criminal justice system of the country.

***The Double Jeopardy***

The constitutional safeguard in the form of double jeopardy is established as the clause of the 5th amendment to the country’s constitution. This specific right for both adult and juvenile convicts explained that it is not allowed to prosecute anyone twice for noticeably the act of crime. It is legally recognized that no individual can be accused of the same offense and this approach can be categorized as the act of jeopardy. The clause of double jeopardy is only applied in case of criminal cases to ensure the entire proceeding more consistent and unbiased.

***An Impartial Jury***

           The legitimate right of an impartial jury is recognized under the spectrum of the 6th amendment in the constitution. This legal approach means that the criminal justice system has the responsibility to ensure that not the single jury member shows any form of prejudice against the convict. This legal domain is applicable in both cases of juvenile and adult convicts. This specific clause is to develop to ensure the strong implications of the criminal justice system of the country. All the actions and decisions of jury members need to be established as fair forms of entire legal proceedings.

***The Right to Confront***

The 6th amendment of the constitution also provides the specific clause that acknowledges the right to confront the criminals in both cases of juvenile and adult convicts. The simple mean of this constitutional clause is that every individual who is accused of any crime has the legal right to confront the procedure of witness in case of criminal activity. Additionally, this approach further appears as a convict’s right to ensure the prospect of cross-examining the domain of witnesses of the prosecution.

**Conclusion**

To conclude the discussion about the significance of the 4th, 5th, and 6th amendments of the constitution of the United States of America, it is critical to mention that all these amendments provide useful clauses to ensure constitutional safeguards. Strict implications of all these legal domains are crucial to successfully meet the objective of protecting the basic rights of every convict considering the nature of all kinds of criminal cases.

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