

Unit 4
Stop-and-Frisk: Fourth Amendment Violation or Necessary for Public Safety?

Unit Questions

How should we resolve claims that certain police practices violate the principal of equality before the law? Is stop-and-frisk necessary to public safety? When does a police practice amount to a violation of the Fourth Amendment?

Overview

Some controversies arise when our shared values and principles conflict with one another. Police “stop-and-frisk” policy is one such issue. In stop-and-frisk, police officers stop, question, and conduct a pat-down search of pedestrians or occupants of cars. Some police leaders contend that a stop-and-frisk program is useful to promote public safety. Of course, if stop-and-frisk is not effective, it can be an invasive practice often implemented in a discriminatory way. The conflicting values that arise from stop-and-frisk are public safety on the one hand, and privacy and equality on the other.

This unit will give you the opportunity to explore and evaluate this issue through a variety of nonfiction sources, evaluating the strengths and weaknesses of authors’ arguments. The focus of this unit is on the close reading of texts, and on building and supporting an argument.

Objectives and Standards

- Explain the purposes of stop-and-frisk and the issues the policy raises.
- Describe the tension between the values underlying the stop-and-frisk debate.
- Summarize the facts and identify the legal issues in stop-and-frisk cases.

Unit Assessment

- You will engage in a class debate about how to implement a stop-and-frisk policy.