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STUDENT AWARENESS OF FOURTH AMENDMENT RIGHTS

by

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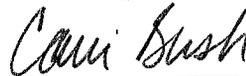
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Chapter 1

Introduction

Around the world, blood, clan, land origin, or religious belief define most nations (Lane, 2007). However, in America, the Constitution is the single entity that binds citizens together. It represents the values and ideals on which the country was founded. The Constitution and, more specifically, the Bill of Rights, ensures the most basic liberties to the American people.

Written by James Madison, the Bill of Rights is the first ten amendments to the Constitution. It further limits government power and safeguards individual liberty. It protects against unreasonable government invasion and allows citizens to speak and gather freely, even against those in power. These amendments embody the Framers' intentions when creating a new and unique national government.

One of the most important of these individual liberties is the Fourth Amendment. It states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized (US Const. Amend IV).

At its core, the Fourth Amendment represents the most valued freedom in American history, the "right to be let alone" (*Olmstead v. US*, 1928). It allows citizens the right to private lives that are free from unreasonable government intrusion.

Prior to the ratification of the Fourth Amendment, colonial officials utilized general warrants, allowing free reign to search individuals and their property (Fuqua & Stevens, 2014). This led to revolt and widespread frustration, especially among those seeking refuge from British control. According to Cuddihy (seen in Fuqua & Stevens, 2014, p. 4), “a man’s house was even less of a legal castle in America than in England.” The authors of the Fourth Amendment sought to replace these general warrants with specific ones that limited searches to previously identified people, places, and things (Fuqua & Stevens, 2014). Over time, the Fourth Amendment developed into an overarching protection of individual privacy.

Throughout history, the Supreme Court struggled to find the proper balance between individual liberty and the ability of the government to protect its people. Although it did not apply to the states until 1949, the Court has since made strides in determining what the Fourth Amendment does and does not protect (Fuqua & Stevens, 2014). For instance, the landmark case *Katz v. US* (1967) enabled the Court to broaden the scope of the Fourth Amendment. In this case, law enforcement wiretapped a public phone booth to gain evidence of Katz’s criminal activity. The Court ruled that the officers performed a search within the meaning of the Fourth Amendment and invaded Katz’s privacy upon which he “justifiably relied.” This led to the notion that the Fourth Amendment protects people, not places. It also provided the “reasonable expectation of privacy test,” upon which most Fourth Amendment decisions are based.

As technology advances, the Court must continue to review the Fourth Amendment. The digital age brings new challenges that the Founding Fathers could never have dreamed of. For example, GPS tracking and cell phones have become big issues for the Court, as well

as the Internet (Fuqua & Stevens, 2014). In a world full of social networks and information sharing, Fourth Amendment protections can be very unclear.

The group potentially most affected by this is Millennials (those born between 1980 and the early 2000s), who are notorious for their use of technology. Now, they will not only be affected by age-old search and seizure laws, but have to adapt to the new, changing Fourth Amendment (Lamparello & MacLea, 2014). Political and civic awareness is crucial to this group.

During adolescence, opinions and attitudes become most salient (Kiesa, et al., 2008). Without proper knowledge, young adults may not be able to make informed decisions. Recently, this generational group greatly affected election outcomes. Political scientists have gone so far as to say that eighteen to twenty-four year olds decided the 2008 and 2012 elections (Crimmins, 2013). With such a large impact, there is a need for strong civic literacy.

However, a recent case study showed that only 17 percent of Millennials recognized that the Fourth Amendment protects against illegal searches and seizures (Ahranjani, Medearis, & Shook, 2013). Law enforcement could take advantage of this ignorance and target young people. A study by the New York Civil Liberties Union documented over 680,000 stop and frisk searches in the city throughout 2011. Of these searches, 51 percent were conducted on young people aged 14-24, with the majority being completely innocent (NYCLU, 2014). This study focuses on this age group, particularly college-level students.

This research attempts to answer the following questions: how aware are college students of their Fourth Amendment rights? Are males or females more informed? Do older

students have higher civic literacy regarding the Fourth Amendment? Is there a difference in knowledge among various majors?

To answer these questions, the second chapter reviews the literature of previous studies measuring political knowledge among American citizens. The third chapter describes the method and results of a Fourth Amendment scenario-based survey. The final chapter discusses the implications of the results, and the importance of civic awareness and political knowledge.

Chapter 2

Literature Review

Social scientists define political knowledge as “the range of factual information about politics that is stored in long-term memory” (Barabas, Jerit, Pollock, & Rainey, 2014, p. 2). Political sophistication is a crucial part of a functioning democracy. Individuals need political knowledge to effectively execute the responsibilities of citizenship (Wolack & McDevitt, 2011). Researchers have measured it for almost a century, to better understand political attitudes and behaviors. The past literature agrees that American citizens have an alarmingly low level of political awareness (Barabas et al, 2014). However, through very diverse approaches to measurement, it is difficult to conclude what information is most important for citizens to have to be considered knowledgeable.

Researchers do agree that the most sophisticated people are those with the highest levels of ability (cognitive skills), opportunity (availability of information), and motivation (desire to learn) (Barabas et al., 2014). All of these factors must be present for an individual to reach his or her full potential as a well-informed citizen. Barabas et al. (2014) also argue that two other characteristics of learned information are just as important. The first is the temporal dimension, referring to how recently the information came into being. The second is the topical dimension, which deals with whether a question is policy specific or about institutions and public figures. Past studies have utilized a mixture of these dimensions to measure political knowledge, with a majority focusing on general knowledge.

In the 1940s, Hyman and Sheatsley coined the term “know-nothings” to describe the politically ignorant (as seen in Bennett, 1988). “Know-nothings” mostly consisted of females, non-whites, and the less educated. Back then, these “know-nothings” made up about

30 percent of the population (Bennett, 1988, p. 476). Sadly, this number has remained consistent ever since.

Carpini and Keeter (1991) compared early 1990's Gallup polls to those in Hyman and Sheatsley's in the 1940s. These polls tested knowledge of public affairs and the basic structures of parties, politics, and government. With huge increases in higher education, it would seem that individuals should be less politically ignorant. However, the comparison showed that, not only had political knowledge remained low, it actually declined in many areas. Carpini and Keeter (1991) placed a majority of the blame on the education system.

More recent studies agree, showing that students know very little regarding the government and its institutions. Currently, only eight states formally test students on American government or civics (Levine, 2013). Because of this, many researchers relied on information gained through the federal National Assessment of Educational Progress (NAEP) test to understand young people's civic knowledge. The NAEP Civics assessment is the most carefully designed national civics test in use. The exam is comprised of questions featuring the U.S. Constitution (45%), the role of citizens (25%), the nature of civic life (10%), and foreign affairs (20%) (Levine, 2013). It is conducted about every four years, reaching 27,000 students from the fourth, eighth, and twelfth grades (Dillon, 2011).

The past NAEP Civics assessments discovered many startling results. On the most recent exam, less than half of eighth grade students knew the purpose of the Bill of Rights, and only 10 percent understood the system of checks and balances (Dillon, 2011). High school seniors performed even worse. Although civic education programs have increased in high schools, between the 2006 and 2010 test administrations, seniors' scores greatly

declined. Of the students tested, only one quarter scored in the “proficient” level (Dillon, 2011).

However, the Center for Information and Research on Civic Learning and Engagement, known as CIRLCE, questions the accuracy of the NAEP Civics assessment’s findings. Peter Levine (2013), the director of CIRLCE, describes the many flaws of the national exam. First, he points to the ambiguity of the term “proficient.” This is an extremely subjective label determined by the original creators of the assessment. For example, on the NAEP Economics assessment, more than 40 percent of students were deemed proficient. This is not to say that students are more knowledgeable in economics, but that the economics committee defined “proficient” less rigorously than the civics committee (Levine, 2013). What qualifies as strong knowledge and understanding tends to be a matter of judgment, not statistical fact. Levine (2013) discusses that the national assessment may not line up with individual states’ standards in terms of curriculum. Additionally, the particular questions only measure a certain type of knowledge (CIRCLE, 2013).

CIRLCE completed several studies to gain a more thorough understanding of young people’s political knowledge. In 2006, they analyzed the political health of the nation through the National Civic and Political Health Survey. This measured civic engagement, political knowledge, and political attitudes. Young people, ages 15-25, comprised the majority of survey participants. The analysis found that young people are not only unknowledgeable, but also highly misinformed (Lopez et al., 2006). For example, the survey showed that 53 percent of participants thought non-citizens could vote in federal elections (Lopez et al., 2006).

CIRCLE expanded this research after the 2012 election, surveying over 4,000 young Americans, ages 18-24 (CIRCLE, 2013). The participants chose one issue of interest to them. They then answered two factual questions on where President Obama and Governor Romney stood on the issue. Participants were also questioned on the basic structure of government. Overall, a majority of those surveyed were informed on some aspect. On their chosen issue, more than three in four young voters correctly identified where at least one candidate stood. However, only 24 percent could provide both candidates' stances on the specific issue (CIRCLE, 2013). Other topics showed that a majority of participants are misinformed. For instance, when asked whether the government spends more money on foreign aid or Social Security, over 50 percent answered foreign aid. In actuality, the government spends almost 20 times more on Social Security (CIRCLE, 2013). Overall, the study found a small distinction in higher knowledge from the older participants and those with more education. Political party did not make a difference, where 24 percent from each party could not correctly identify either stance (CIRCLE, 2013).

This study took political knowledge research a step further by including an analysis of voting patterns. The most important aspect of being politically literate is the ability to put knowledge into practice and make informed decisions. This research showed that the majority of voters voted consistently with their understanding of where candidates stood on the issues (CIRCLE, 2013).

Like CIRCLE, the Intercollegiate Studies Institute (ISI) is an organization deeply concerned with Americans' civic literacy. They have conducted some of the largest studies on political knowledge in history. Frank Newman, the former president of the Education Commission of the States, inspired ISI to research college students when interviewed by the

New York Times stating, “[t]he real reason we don't test is, we would rather not know...If we start measuring, we will start finding out that you didn't learn...about the great traditions of Western thought. Then we have a nasty little problem on our hands” (ISI, 2006, pg. 2). In 2006, the Institute presented their study “*The Coming Crisis in Citizenship: Higher Education's Failure to Teach America's History and Institutions.*” They researched college and university’s ability to increase, or decrease, their students’ political understanding. Over 14,000 college freshman and seniors from fifty universities participated in the study. The students responded to sixty multiple-choice questions testing their knowledge of American history, government, foreign affairs, and the market economy (ISI 2006).

The study had four major findings. First, America’s colleges fail to increase political understanding. Second, elite schools greatly underperform. Third, civic learning is greater at schools that require political science courses. Finally, those who actively participate in politics are more knowledgeable (ISI, 2006). On average, college seniors only scored 1.5 percent higher than their freshman counterparts, with an average score of 53 percent. The highest scoring seniors only managed to score a D+ on the exam, with the highest average score at 69 percent (ISI, 2006). Many Ivy League schools performed even worse, showing negative learning. For example, at Yale, seniors scored lower than freshman by an average of 7 percent. Although Ivy League students may have entered as more knowledgeable freshman, lower ranked schools greatly surpassed them in terms of political knowledge by senior year. Overall, the lowest ranking schools were University of California, Berkeley and Johns Hopkins, two of the highest regarded schools in the nation (p.6). The study points to required political science courses and a more politically active student body as possible reasons for the increase in civic literacy (ISI, 2006). Overall, ISI found that, after all of the time, effort, and

money spent on a college education, students leave no better off in understanding basic features of American government (Cribb & Bunting, 2009)

The Intercollegiate Studies Institute continued its research in its 2009 study, "*Our Fading Heritage*." It examined the real-world consequences of the collegiate failure to prepare a politically knowledgeable citizenry (Cribb & Bunting, 2009). They surveyed over 2,500 adults, both college educated and non-college educated. Questions included samples from the national citizenry test and the high school level NAEP Civics assessment. Overall, both groups failed, with an average score of 49 percent. The study showed that a bachelor's, and even a graduate level degree, only made a small difference in average scores. Participants with bachelor's degrees scored, on average, 57 percent and those with higher degrees scored 65 percent. Although slightly higher than the national average, many of the highest educated Americans cannot pass a basic civics assessment. In this sample, less than half of respondents could name the three branches of government and only 27 percent recognized that the Bill of Rights does not establish a national religion (Cribb & Bunting, 2009).

The ISI survey discovered an additional finding that past research has not touched on. Shockingly, of the 2,500 adults surveyed, elected officials had the lowest average score at 44 percent correct. These included 164 participants, all holding at least one elected government position in their lifetime. Officeholders were less likely than the general public to correctly answer 29 of the 33 multiple-choice questions (Cribb & Bunting, 2009).

Beyond this, the Institute compared numerous other variables, including gender, race, age, and income (Cribb & Bunting, 2009). Males (52%) averaged slightly higher scores than females (45%). Additionally, whites and multiracial participants significantly surpassed other

ethnic groups by about 10 percent with Hispanics performing lowest (38%). Participant age did not play a large role, with each group scoring between 46-49 percent except for the Baby Boomers, who averaged a bit higher. The research showed a significant, positive relationship between income and score, as scores increased with income (Cribb & Bunting, 2009).

Although the ISI study found only a small difference among men's and women's scores, conventional wisdom holds that there is a large gender gap in political knowledge (Mondak & Anderson, 2004). According to political scientists, the gender gap is a huge portion of understanding American's political sophistication. Women tend to be less interested in politics, acting as the main cause of the gap. (Carpini & Keeter, 1992).

To better understand the extent of this gap, Carpini and Keeter (1992) dissected two past national surveys. They first analyzed the results from a telephone survey conducted by Virginia Commonwealth University. This reached over 600 adults and asked 51 knowledge questions on various political topics. These included political parties, institutions and processes, public figures, and substantive issues. On only four out of the 51 questions, a higher percentage of females answered correctly compared to males. When women did overcome the male percentage, it was never by more than two percent (Carpini & Keeter, 1992). On some questions, males correctly answered by over 20 percent. For example, when asked the percent vote needed to override a presidential veto, women fell behind men by 29 percent. The average advantage for men across the entire survey was nine percent (Carpini & Keeter, 1992).

Carpini and Keeter (1992) then analyzed the data from the 1988 National Election Study, which reached over 1700 adults. The survey only included 17 questions that strictly measured political knowledge. However, of these 17, more men correctly answered than

women on every single item. This time, the mean difference between males and females grew to 17.1 percent. The difference between male and female respondents consistently remained above 10 percent for every question but one (Carpini & Keeter, 1992, p. 24).

More recently, Wolack and McDevitt (2011) performed a study to test whether the gender gap is present among adolescents. They used the 2006 "*Colors of Socialization*" midterm election survey, which reached 950 high school seniors. Over half of the participants were re-interviewed at the end of the election term. The questions tested knowledge of ideological orientations and partisanship. Compared to general knowledge questions, partisan specific questions tend to show a larger gap between genders. The research showed that the gender-gap present among adults was also present among adolescents. On average, female participants correctly answered 5.1 questions while their male counterparts averaged 6 questions (Wolack & McDevitt, 2011).

Wolack and McDevitt (2011) pointed to several reasons why the gender gap exists. These include women's lack of interest in politics, different ideas of their political roles, and males' tendency to engage in more political conversations (Wolack & McDevitt, 2011). Also, this study, along with many others, showed that women were more likely to answer "don't know," whereas males are more likely to take a random guess. From this sample, it seems that these political dispositions play a role in knowledge levels. However, after controlling for efficacy, interest, and resources, the gender gap still existed. Wolack and McDevitt (2011) concluded that the roots behind how men and women see politics form at a much earlier age than in high school.

Although the above studies tested different variables, they all used general textbook knowledge questions to measure civic literacy. The majority included questions on American

history, political parties, and government structure. Several researchers are concerned that these questions do not accurately measure political knowledge. Levendusky and Jackman (2003) suggest that current measures are not as accurate as they could be. They explain that a true and accurate measure would examine an individual's thought processes. However, because this is not possible, they propose measuring an individual's ability to apply cognitive reasoning. To achieve valid results, they stress the importance of relying on relevant facts of the current political landscape (Levendusky & Jackman, 2003).

Lupia (2005) agrees, asserting that most studies do not formulate questions based on how their answers affect the participant's ability to provide value to the community. Academic professionals and journalists generate political knowledge questions based on their specific shared worldview. He points out that many citizens may incorrectly answer questions like "what is the name of the Chief Justice on the Supreme Court?" but are not actually civically illiterate. Lupia (2005) states that it is important to ask questions for which knowing the answer is a necessary condition for accomplishing key civic tasks (p. 4). Practical relevance is the most important aspect. It is essential that there is a relationship between the participant and the content of the questions being asked (Lupia, 2005).

Shaker (2012) attempted to put Lupia's ideas into practice by researching how Americans perform when asked about local, as opposed to national, issues. He employs the idea of specialization, instead of studying general knowledge. Local issues are typically more relevant in everyday life. Shaker (2012) randomly surveyed over 900 adults, prompting them with both national and local issues. Participants averaged low scores in both categories, with no distinct difference between the two. However, Shaker (2012) found that knowledge levels increased when local and national issues were presented together than when done so

individually. Additionally, there was a positive relationship between education level and average scores. As education level went up, so did participants' scores. Shaker (2012) emphasized the importance of specialization to better understand Americans' political sophistication.

The above studies emphasize several issues. First, overall, the American public has very low levels of political knowledge. This is true regardless of several factors, including age, ethnicity, and gender. However, women tend to do more poorly than men when tested on political information. Although these concepts are regarded as true by most social scientists, there may be issues with how knowledge is measured.

The current research attempts to understand political awareness of college level students, while accounting for the limitations of past studies. College students have both the ability to gain information and the opportunity of higher education. However, some may lack the motivation required to reach the highest potential in political knowledge. To make up for this, this research focuses on issue-specific questions that are relevant to young adults. This will give students a better opportunity to apply political standards to real world situations.

Chapter 3

Methodology

In contrast to past research, this study focuses on a single facet in political knowledge (Barabas et al, 2014). It measures college-level students' awareness of the Fourth Amendment. Students responded to a survey questioning the legality of several scenarios. Answers were compared across age, gender, and major.

The sample included 280 college students from Appalachian State University in seven sections of PS: 1100 American National Government and Politics. As part of the general education curriculum, this class offered a large assortment of student majors. Additionally, it allowed for variation in gender and age. However, the sample participants tended to be younger (mean age=19.0 years).

Over a two-week period, students participated in an in-person survey conducted during their class periods. The University's Institutional Review Board granted permission to execute the survey using student participants. All present students completed the survey, however, the number of participants was lower than expected. Over 500 students were enrolled in PS 1100, but due to absences, the response rate equaled about 56% of all students registered for the course.

The survey, shown in Appendix A, asked sixteen scenario-based questions and four demographic questions. The demographic questions included gender, race, age, and major. Each scenario question presented a situation involving the Fourth Amendment. For example, "The police are outside a house where they can smell burning marijuana and hear evidence being destroyed. They have knocked and announced themselves as law enforcement, then enter the home." To respond, participants selected whether or not the situation described is

legal under the Fourth Amendment. Survey questions were created using Supreme Court decisions concerning the Fourth Amendment. For validity, Question 7, for which there is no current ruling, was discarded.

The survey's narrow focus showed students' understanding of political principles, as opposed to basic textbook knowledge. In past research, assessments only measured knowledge of random facts about government and politics (Barabas et al, 2014). Participants answered questions such as "Who is the chief justice of the Supreme Court?" This study concentrated on one particular component of political knowledge that affects students' everyday lives. Instead of acting as a memory dump, the survey attempted to gain a clearer understanding of student awareness.

After gathering all completed surveys, the responses were organized and coded using the Statistical Package for Social Sciences (SPSS) software. The tested variables included age, gender, and major. Race was disregarded due to a lack of diversity among students. The participants surveyed 85% White, with non-Whites making up only 15%. Leaving student age as a numerical variable, gender was coded with males as 0 and females as 1. Because of the vast amount of student majors, they were combined into eleven categories and coded as follows: Social Sciences (0), Natural Sciences (1), Business (2), Humanities (3), Education (4), Computers/Math (5), Fine Arts (6), Health (7), Journalism (8), Other (9), and Undecided (10). The breakdown of each category can be found in Appendix B. The frequencies for each variable were collected, and are presented in Table 1 below. It should be noted that eleven students declined to answer the gender question; thus, its percentage does not equal to 100%.

Table 1: Descriptive Statistics

	N	%
Gender		
Male	129	46.1
Female	140	50.0
Age		
18	138	49.3
19	65	24.1
20	38	13.6
21	10	3.6
22	9	3.2
23+	10	3.6
Major		
Social Sciences	87	31.1
Education	56	20.0
Business	47	16.8
Natural Sciences	15	5.4
Fine Arts	14	5.0
Journalism	13	4.6
Health	8	2.9
Computers/Math	5	1.8
Humanities	2	0.7
Other	6	2.1
Undecided	15	5.4

Participant responses were analyzed across all three variables using SPSS. The bivariate correlation, or Pearson's R, was used to test for a correlation between student age and number of correct responses. This allowed insight into whether older or younger students are more knowledgeable in regards to the Fourth Amendment. It also determined the correlation's strength if any relationship between age and number of correct responses existed. This test was performed for each individual question.

The bivariate correlation analysis also tested the correlation between gender and number of correct responses. This looked at whether a relationship between the variables

existed and the strength of that relationship across each question. For gender, a cross-tabulation was also performed. This compared male and female responses, providing the percent correct and incorrect for each question.

A cross-tabulation was also completed for the major variable. This included comparing all eleven categories of student majors. It revealed which majors had higher percentages of correct answers and the majors with the lowest percentages. This was completed for each individual question.

Past research shows that college students perform just as poorly as other citizens on political assessments (Barabas et al, 2014). This study expects to find similar results, hypothesizing the following: 1. Males will perform better than females, 2. Older students will outscore their younger peers, 3. Liberal arts majors will score higher, and 4. Overall, a majority of students will provide incorrect answers.

Results

The results from this study were consistent with findings from past research (Barabas et al, 2014). After surveying 280 students, the results suggested that students do not have a high awareness of Fourth Amendment rights. Overall, there was not a strong relationship between correct answers and gender or age. Additionally, there was not much variation between majors and correct answers. Appendix C provides the breakdown of each question by variable, including Chi-Squared and Pearson's R. The correct answers for each question are in bold.

Overall, a significant relationship did not exist between the number of correct answers and gender. However, on some questions, Pearson's R showed that there is a slight correlation between correct answers and gender. Of these, Pearson's correlation tended to

provide that males correctly answer more questions than females. On average, in this sample of college students, males correctly answered 2.5% more questions than females.

The age variable also did not show a significant relationship in regards to the number of correct answers. As with gender, some individual questions appear to have a relationship between participant age and correct answers. However, Pearson's R showed mixed results on these questions. The questions that showed some correlation are represented evenly among older students and younger students answering more questions correctly. However, on question number two, a significant positive correlation existed at the .01 confidence level ($R = .259$). This means that, on this specific question, as age increased, so did the number of correct responses.

Table 2 below presents the results by major category. Almost all participants' majors are considered liberal arts, so no clear relationship could be found regarding liberal arts majors and number of correct answers. The majority of students in each major category answered roughly 50% of the questions correctly. However, Humanities (40.0%), Journalism (45.6%), and Other (44.4%) scored much lower than other majors. Social Sciences, Fine Arts, and Health were the highest scoring majors.

Table 2: Percent of correct answers by major category

	Percent Correct
Social Sciences	54.9%
Natural Sciences	50.6%
Humanities	40.0%
Business	51.6%
Education	51.4%
Computers/Math	50.7%
Fine Arts	53.3%
Health	55.0%
Journalism	45.6%
Other	44.4%
Undecided	51.1%

Overall, in this sample of college students, the number of correctly answered questions averaged 52%. Additionally, participants averaged less than 25% on four questions, with the lowest average score of 12.3% on a single question. According to typical grading standards, on average, students only passed six out of the fifteen questions on the assessment.

Chapter 4

Discussion

An informed citizenry is crucial for the American government to properly function. However, the majority of Americans have extremely low political knowledge. Many do not see the incentive to become informed about political issues and the fundamentals of government. This is a major problem because America is founded on the idea of government “for the people, by the people” (Lincoln, 1863). The Father of the Constitution, James Madison, explained, “Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power which knowledge gives” (Emerson, 1976). If citizens are unaware, they cannot properly perform the responsibilities of citizenship or enforce the rights afforded to them by the Constitution.

The law is ever changing and transforming. However, it is extremely important for citizens to be aware of how new policies affect everyday life. This is particularly true for young adults. Adolescent experiences form and shape young people’s attitudes during the time when these attitudes become most salient (Kiesa, et al., 2008). Those with greater political knowledge typically form stronger and more consistent attitudes, which lead to more politically active individuals. Young people are the future leaders and need political awareness to uphold American principles and to make necessary changes. The strength of the Constitution relies on the awareness and engagement of the American people.

Past research shows that young people, like the rest of the population, have a very low level of political knowledge (Kiesa, et al., 2008). A recent study shows that only 17 percent of people ages 18-24 knows that the Fourth Amendment protects against illegal searches and seizures (Ahranjani, Medearis, & Shook, 2013). This is alarmingly low,

especially because this age group tends to be targeted by law enforcement (NYCLU, 2014). Through increased awareness, young people can protect their rights and avoid unreasonable government infringement.

Further research is consistent with the above finding (Barabas et al, 2014). Studies continually show extremely low levels of civic literacy among Americans. When political knowledge began being measured, Hyman and Sheatsley discovered that 30 percent of Americans classified as “know-nothings,” or as politically illiterate (as seen in Bennett, 1988). Unfortunately, this number remains consistent throughout subsequent research.

College students are comparatively similar, according to past studies (CIRCLE, 2013). The Center for Information and Research on Civic Learning, or CIRCLE, provides that, when tested on the 2012 presidential stances, students scored at failing rates. Participants were not only unknowledgeable, but also highly misinformed regarding political leanings (CIRCLE, 2013). This confusion can disrupt individual ability to make informed political decisions. CIRCLE (2013) analyzed voting patterns, as an application of political knowledge, and found that they were consistent with participants’ understanding, or lack thereof, of political issues.

Another study by CIRCLE, “Millennials Talk Politics,” looks for causation behind students’ low awareness levels (Kiesa, et al., 2008). This study shows that, not only are political knowledge levels low, but they may actually decline during college. This is partially due to the “bubble effect,” where students struggle to pay attention to anything not directly affecting the specific campus. Many claim that, upon arriving at college, they feel disconnected to the rest of the world. This disconnect is enhanced by a lack of accessibility to pertinent information. Students surveyed expressed that they are not provided enough

resources and opportunities on campus to effectively participate in the political environment (Kiesa, et al., 2008).

Across the country, there are extremely unequal levels of civic education and opportunity for political participation (Kiesa, et al., 2008). The Intercollegiate Studies Institute also performed a comprehensive study of college students' political awareness. This study found that a college education does nothing to improve civic literacy (ISI, 2006). Ironically, the original mission of the first public schools and early universities was to prepare young people to become active and effective citizens (CIRCLE, 2013). Schools focused heavily on instilling civic awareness in its students and promoting political engagement. Today, many institutions do not even uphold a civic mission or include required civics courses in the general curriculum (Kiesa, et al., 2008).

This study performed at Appalachian State University found results consistent with the above research. However, unlike previous research, it focused solely on one specific issue -- the Fourth Amendment. The Fourth Amendment is one of the most important rights afforded by the Constitution. It protects against unreasonable government intrusion and preserves individual privacy. At its core, it represents the values and ideals America was founded on.

Over time, the U.S. Supreme Court continues to fine-tune the Fourth Amendment and its protections. As technology grows, this becomes increasingly more complicated. Citizens must actively participate in the effort to balance security and individual liberty. This especially applies to current college students, who are part of the Millennial generation. This group is notorious for its use of technology in sharing intimate details of their private lives.

Fourth Amendment awareness is crucial in safeguarding private life. Young people need to be equipped with civic awareness to understand and enforce constitutional protections.

The participants answered survey questions that presented Fourth Amendment based scenarios, selecting whether the situation is or is not legal. The scenarios are inspired by actual U.S. Supreme Court decisions. This form of questioning looked to actually apply political knowledge as opposed to acting simply as a memory dump. Questions like, "How much of a majority does Congress need to override a veto?" or "What is the name of the vice president?" are the types of questions typically used to assess political knowledge (Carpini & Keeter, 1992). Their answers, although important, do not accurately depict civic literacy. Issue specific assessments, particularly those related to participants, are much more useful in understanding political awareness (Lupia, 2005).

After surveying 280 college students, the results show that participants have a very low awareness of the Fourth Amendment. On average, students correctly determined the legality of the proposed situation 52 percent of the time. According to a typical grading scale, participants only "passed" six out of the fifteen questions. Although some scenarios were not directly related to young people, the reasoning and rationale behind these situations corresponds to a pertinent issue.

When analyzing specific variables, the results did not provide any significant relationships between the variable and number of correct answers. Although some individual questions showed slight correlation between gender or age and correct answers, overall, no actual correlations can be confidently extrapolated from this data.

Because this study was simply exploratory, many other limitations arose. Due to absences, a large portion of the expected sample did not participate. Additionally,

Appalachian State University is not a very racially diverse campus, so it could not be considered in the results. However, the information gained through the study still provides insight into college students' awareness of the Fourth Amendment. The results are consistent with past political knowledge studies that have found the public, including college students, have low levels of civic literacy (Barabas et al, 2014).

Future research should broaden the scope of this study by utilizing a more diverse survey sample. Because this study used a convenience sample, it lacked diversity, particularly in race. Additionally, it is important to compare results across varying colleges and universities, with consideration given to course requirements at each institution. Results may differ among schools that emphasize civic missions and political education. It is also notable that all participants in this survey had some exposure to a political science course. Future work should consider including students who have never taken a political course during their college educations.

Future research may be interested in going beyond the Fourth Amendment and analyzing awareness of other political components. This can include other amendments or go beyond the Constitution into more general aspects of the political realm. It is also interesting to analyze whether students have higher awareness of local versus federal issues. Because college students remain in the "bubble," there may be greater awareness of matters affecting the local area.

Political awareness at any level, whether local or federal, is vital to a strong democratic system. Social scientists need to continue studying political knowledge to better discover where the gap exists in civic literacy. Young people are an extremely important group to understand because they are the future decisions makers and leaders of this country.

Political awareness is the key to continuing an effective and successful American government.

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Appendix A

November 21, 2014

Do College Students Know Their Fourth Amendment Rights?

You are being invited to participate in a research study about college students' knowledge of their Fourth Amendment rights. This study is being conducted by Jessica Berkowitz and Dr. Marian Williams from the Department of Government and Justice Studies at Appalachian State University. The study is being conducted as part of an undergraduate honors thesis project.

There are no known risks if you decide to participate in this research study. There are no costs to you for participating in the study. The information you provide will help gauge college students' knowledge of their Fourth Amendment rights. The questionnaire will take about 20 minutes to complete. The information collected may not benefit you directly, but the information learned in this study should provide more general benefits.

This survey is anonymous. Do not write your name on the survey. No one will be able to identify you or your answers, and no one will know whether or not you participated in the study. Should the data be published, no individual information will be disclosed.

Your participation in this study is voluntary. By completing the survey, you are voluntarily agreeing to participate. You are free to decline to answer any particular question you do not wish to answer for any reason. You must be 18 years of age and older to participate in the survey.

If you have any questions about the study, please contact Jessica Berkowitz at berkowitzjn@appstate.edu or Dr. Marian Williams at williamsmr4@appstate.edu

The Appalachian State University Institutional Review Board has reviewed our request to conduct this project. If you have any concerns about your rights in this study, please contact the Office of Student Research at osr@appstate.edu

Survey Questions

The following questions present scenarios involving the Fourth Amendment. Based on the information provided, indicate whether you think a) the actions in the scenario are legal or b) the actions in the scenario are a violation of the Fourth Amendment.

1. The police are outside a house where they can smell burning marijuana and hear evidence being destroyed. They have knocked and announced themselves as law enforcement, then enter the home.

- a. Yes, this is legal
- b. No, this is a violation

9. A student trying out for a spot on a high school sports team is required to take a drug test before he can join.

- a. Yes, this is legal
- b. No, this is a violation

10. Officers attach a GPS tracking device to a car, without a warrant, and follow an individual's movements for a month.

- a. Yes, this is legal
- b. No, this is a violation

11. The government contacts an individual's wireless carrier to gain GPS location data from the person's cell phone activity, without a warrant.

- a. Yes, this is legal
- b. No, this is a violation

12. Officers approach a home with a warrant to search. Upon arrival, the officers see the door is wide open, enter the home without knocking, and begin the search.

- a. Yes, this is legal
- b. No, this is a violation

13. During a routine traffic stop, officers walk around the vehicle with a drug dog without any suspicion of possession.

- a. Yes, this is legal
- b. No, this is a violation

14. Officers are patrolling a high crime neighborhood. A group of men sees the officers and take off running. The officers run after them and perform a stop and frisk on each.

- a. Yes, this is legal
- b. No, this is a violation

15. After a hotel guest checks out of his room, police ask the maid cleaning to give them the contents of the guest's trash. Officers find evidence against the guest and arrest him.

- a. Yes, this is legal

b. No, this is a violation

16. Officers obtained a warrant to search Apartment 102, which they have been staking out for some time. They execute the warrant and find illegal activity. During the trial, it is discovered that the warrant had the incorrect address and said Apartment 201. The evidence is used anyway and the residents convicted.

a. Yes, this is legal

b. No, this is a violation

The following questions ask about general demographic information of respondents.

17. What is your gender?

a. male

b. female

c. prefer not to answer

18. What is your race/ethnicity?

a. White

b. Black

c. Hispanic

d. Asian or Pacific Islander

e. Other

f. prefer not to answer

19. What is your age? Fill in Blank _____

20. What is your major? Fill in Blank _____

Appendix B

- 0 – Social Sciences
 - Psychology, CJ, PS, History, Sociology, Anthropology, Social Work
- 1 – Natural Sciences
 - Biology, Geology, Geography, Chemistry, Fermentation Science
- 2 – Business
 - Business, Accounting, Marketing, Finance, Computer Information Systems, Management, Actuarial Science
- 3 – Humanities
 - English
- 4 – Education
 - Elementary, Licensure, Middle Grades
- 5 – Computers/Math
 - Math, Building Science, Computer Science
- 6 – Fine Arts
 - Sustainable Development, Art, Film, Photography, Music, Appropriate Technology
- 7 – Health
 - Exercise Science, Nutrition, Athletic Training, Health Promotion, Communication Disorders
- 8 – Journalism
 - Communications, Public Relations, Journalism
- 9 – Other
 - Architecture
- 10 – Undecided

Appendix C

			1		Total
			0	1	
Gender	Male	Count	36	93	129
			52.2%	46.7%	48.1%
	Female	Count	33	106	139
			47.8%	53.3%	51.9%
Total		Count	69	199	268
		% of Total	25.7%	74.3%	100.0%

Gender $\chi^2 = .607$

Gender Pearson's $r = .048$

Age $\chi^2 =$

Age Pearson's $r = -.048$

			2		Total
			0	1	
Gender	Male	Count	74	55	129
			43.5%	55.6%	48.0%
	Female	Count	96	44	140
			56.5%	44.4%	52.0%
Total		Count	170	99	269
		% of Total	63.2%	36.8%	100.0%

Gender $\chi^2 = 3.626^*$

Gender Pearson's $r = -.116$

Age $\chi^2 = 19.108^*$

Age Pearson's $r = .259^{**}$ (older got it correct)

			3		Total
			0	1	
Gender	Male	Count	91	38	129
			48.1%	47.5%	48.0%
	Female	Count	98	42	140
			51.9%	52.5%	52.0%
Total		Count	189	80	269
		% of Total	70.3%	29.7%	100.0%

Gender $\chi^2 = .009$

Gender Pearson's r = .006

Age $\chi^2 = 5.739$

Age Pearson's r = -.018

			4		Total
			0	1	
Gender	Male	Count	42	87	129
			48.3%	48.1%	48.1%
	Female	Count	45	94	139
			51.7%	51.9%	51.9%
Total		Count	87	181	268
		% of Total	32.5%	67.5%	100.0%

Gender $\chi^2 = .001$

Gender Pearson's r = .006

Age $\chi^2 = 13.450$

Age Pearson's r = .120* (older got it correct)

STUDENT AWARENESS OF FOURTH AMENDMENT RIGHTS

			5		Total
			0	1	
Gender	Male	Count	71	58	129
			55.5%	41.4%	48.1%
	Female	Count	57	82	139
			44.5%	58.6%	51.9%
Total		Count	128	140	268
		% of Total	47.8%	52.2%	100.0%

Gender $\chi^2 = 5.280^*$ (males got it correct)

Gender Pearson's $r = .140^*$ (males got it correct)

Age $\chi^2 = 8.106$

Age Pearson's $r = -.025$

			6		Total
			0	1	
Gender	Male	Count	34	95	129
			50.0%	47.5%	48.1%
	Female	Count	34	105	139
			50.0%	52.5%	51.9%
Total		Count	68	200	268
		% of Total	25.4%	74.6%	100.0%

Gender $\chi^2 = .127$

Gender Pearson's $r = .022$

Age $\chi^2 = 12.113$

Age Pearson's $r = -.025$

			8		Total
			0	1	
Gender	Male	Count	29	100	129
			64.4%	45.5%	48.7%
	Female	Count	16	120	136
			35.6%	54.5%	51.3%
Total		Count	45	220	265
		% of Total	17.0%	83.0%	100.0%

Gender $\chi^2 = 5.393^*$

Gender Pearson's r = .143* (males got it correct)

Age $\chi^2 = 11.303$

Age Pearson's r = .128* (younger got it correct)

			9		Total
			0	1	
Gender	Male	Count	31	98	129
			62.0%	45.0%	48.1%
	Female	Count	19	120	139
			38.0%	55.0%	51.9%
Total		Count	50	218	268
		% of Total	18.7%	81.3%	100.0%

Gender $\chi^2 = 4.734^*$

Gender Pearson's r = .133* (females got it correct)

Age $\chi^2 = 9.359$

Age Pearson's r = .111

			10		Total
			0	1	
Gender	Male	Count	117	12	129
			47.8%	52.2%	48.1%
	Female	Count	128	11	139
			52.2%	47.8%	51.9%
Total		Count	245	23	268
		% of Total	91.4%	8.6%	100.0%

Gender $\chi^2 = .164$

Gender Pearson's r = -.025

Age $\chi^2 = 2.353$

Age Pearson's r = -.071

			11		Total
			0	1	
Gender	Male	Count	99	30	129
			47.8%	49.2%	48.1%
	Female	Count	108	31	139
			52.2%	50.8%	51.9%
Total		Count	207	61	268
		% of Total	77.2%	22.8%	100.0%

Gender $\chi^2 = .035$

Gender Pearson's r = -.011

Age $\chi^2 = 8.075$

Age Pearson's r = -.164** (younger got it correct)

STUDENT AWARENESS OF FOURTH AMENDMENT RIGHTS

			12		Total
			0	1	
Gender	Male	Count	67	62	129
			57.3%	41.3%	48.3%
	Female	Count	50	88	138
			42.7%	58.7%	51.7%
Total		Count	117	150	267
		% of Total	43.8%	56.2%	100.0%

Gender $\chi^2 = 6.681^*$

Gender Pearson's r = .158** (males got it correct)

Age $\chi^2 = 6.101$

Age Pearson's r = -.068

			13		Total
			0	1	
Gender	Male	Count	38	91	129
			50.7%	47.2%	48.1%
	Female	Count	37	102	139
			13.8%	38.1%	51.9%
Total		Count	75	193	268
		% of Total	28.0%	72.0%	100.0%

Gender $\chi^2 = .268$

Gender Pearson's r = -.032

Age $\chi^2 = 10.561$

Age Pearson's r = -.048

STUDENT AWARENESS OF FOURTH AMENDMENT RIGHTS

			14		Total
			0	1	
Gender	Male	Count	23 47.9%	106 48.2%	129 48.1%
	Female	Count	25 52.1%	114 51.8%	139 51.9%
Total		Count	48	220	268
		% of Total	17.9%	82.1%	100.0%

Gender $\chi^2 = .001$

Gender Pearson's r = -.002

Age $\chi^2 = 10.950$

Age Pearson's r = -.001

			15		Total
			0	1	
Gender	Male	Count	76 48.1%	53 48.2%	129 48.1%
	Female	Count	82 51.9%	57 51.8%	139 51.9%
Total		Count	158	110	268
		% of Total	59.0%	41.0%	100.0%

Gender $\chi^2 = .000$

Gender Pearson's r = -.001

Age $\chi^2 = 5.482$

Age Pearson's r = -.033

			16		Total
			0	1	
Gender	Male	Count	116	13	129
			49.4%	39.4%	48.1%
	Female	Count	119	20	139
			50.6%	60.6%	51.9%
Total		Count	235	33	268
		% of Total	87.7%	12.3%	100.0%

Gender $\chi^2 = 1.152$

Gender Pearson's $r = -.066$

Age $\chi^2 = 3.990$

Age Pearson's $r = .037$