

### Answers to Handout # 5 (Lesson 3): The PATRIOT Act and the Constitution

Part of Section 412 of the Patriot Act	Number(s) of the Amendment in Bill of Rights	Right(s) Involved
Mandatory (required) detention of a person certified as a terrorist.	4 5 6	Right not to be taken into custody without probable cause.  Right to due process of the law. Right to a speedy trial. Right to confront witnesses.  Right to an attorney
Immigration department will hold those suspected of being terrorists for seven days before charges are brought against them.	5 6	Right to due process of the law  Right to an attorney
Provides for a habeas hearing on a detention. (No mention of how long a detainee waits until such a hearing is held.)	5	Right to due process
The Attorney General (not a judge) will determine if a person suspected of being a terrorist can be released.	5 8	Right to due process  Right not to be subjected to cruel and unusual punishment.