

Figure III-1 The American Criminal Justice System

Stage	Governing Amendment ^a
Reported or suspected crime ↓	
Investigation by law enforcement officials ↓	Fourth Amendment search and seizure rights Fifth Amendment self-incrimination clause
Arrest ↓	Sixth Amendment right to counsel clause
Booking ↓	
Decision to prosecute ↓	
Pretrial hearings (initial appearance, bail hearing, preliminary hearing, arraignment) ↓	Fifth Amendment grand jury clause Sixth Amendment notification clause Eighth Amendment bail clause
Trial ↓	Fifth Amendment self-incrimination clause Sixth Amendment speedy and public trial, jury, confrontation, and compulsory process clauses
Sentencing ↓	Eighth Amendment cruel and unusual punishment clause Eighth Amendment excessive fines clause
Appeals, postconviction stages	Fifth Amendment double jeopardy clause

^aThe right to due process of law is in effect throughout the process.