



# **INTRO TO CRIMINAL JUSTICE CURRICULUM**

**Middle Township Public Schools  
216 S. Main Street  
Cape May Court House, NJ 08210**

**Born: July 2024**

<b>Intro to Criminal Justice</b>	
<b>Content Area: Social Studies</b>	
<b>Grade Level: 9-12</b>	
<b>Course Description- History, development, and philosophy of law enforcement in a democratic society. Introduction to agencies involved in the administration of criminal justice career orientation.</b>	
<b>Course length- Full Year (180 Days)</b> <b>Course Prerequisites- None</b>	
<b>Attendance and Late/Make Up Work</b> <b>*Students are expected to attend in accordance with the 180 school day calendar. Work can be made up based on a mutually agreeable student/teacher agreement.</b>	
<b>Course Goals-</b> <ol style="list-style-type: none"> <li><b>1. Students will be introduced to a basic knowledge of the criminal justice system in the United States of America.</b></li> <li><b>2. The student will examine the criminal justice process in some detail, focusing on how the system is structured to respond to crime in American society.</b></li> <li><b>3. The student will develop an understanding of the three core elements of the criminal justice system: police, courts and corrections.</b></li> </ol>	
<b>Pacing Map</b>	
<b>Timeframe</b>	<b>Standards NJSL</b>
<b>Unit 1: Crime in America</b> 45 days	6.1.12.CivicsPI.14.a, 6.1.12.CivicsPI.14.b, 6.1.12.CivicsPI.14.c, 6.1.12.CivicsPI.14.d, 6.1.12.CivicsCM.14.a, 6.1.12.CivicsPD.14.a, 6.1.12.CivicsDP.14.a, 6.1.12.HistoryCA.14.b, 6.1.12.CivicsPR.16.a, 6.2.12.CivicsPI.6.a, 6.2.12.EconGE.6.a, 6.3.12.CivicsPD.1, 6.3.12.CivicsHR.1, 6.3.12.HistorySE.1

<p><b>Unit 2:</b> Policing 25 days</p>	<p>6.1.12.CivicsPI.14.a, 6.1.12.CivicsPI.14.b,          6.1.12.CivicsPI.14.c, 6.1.12.CivicsPI.14.d,          6.1.12.CivicsCM.14.a, 6.1.12.CivicsPD.14.a,          6.1.12.CivicsDP.14.a, 6.1.12.HistoryCA.14.b,          6.1.12.CivicsPR.16.a, 6.2.12.CivicsPI.6.a,          6..2.12.EconGE.6.a, 6.3.12.CivicsPD.1 6.3.12.CivicsHR.1,          6.3.12.HistorySE.1</p>
<p><b>Unit 3:</b> Adjunction 20 days</p>	<p>6.1.12.CivicsPI.14.a, 6.1.12.CivicsPI.14.b,          6.1.12.CivicsPI.14.c, 6.1.12.CivicsPI.14.d,          6.1.12.CivicsCM.14.a, 6.1.12.CivicsPD.14.a,          6.1.12.CivicsDP.14.a, 6.1.12.HistoryCA.14.b,          6.1.12.CivicsPR.16.a, 6.2.12.CivicsPI.6.a,          6..2.12.EconGE.6.a, 6.3.12.CivicsPD.1, 6.3.12.CivicsHR.1,          6.3.12.HistorySE.1</p>
<p><b>Unit 4:</b> Corrections 25 days</p>	<p>6.1.12.CivicsPI.14.a, 6.1.12.CivicsPI.14.b,          6.1.12.CivicsPI.14.c, 6.1.12.CivicsPI.14.d,          6.1.12.CivicsCM.14.a, 6.1.12.CivicsPD.14.a,,          6.1.12.CivicsDP.14.a, 6.1.12.HistoryCA.14.b,          6.1.12.CivicsPR.16.a, 6.2.12.CivicsPI.6.a,          6..2.12.EconGE.6.a, 6.3.12.CivicsPD.1, 6.3.12.CivicsHR.1,          6.3.12.HistorySE.1</p>

<p><b>Interdisciplinary Connections</b></p>
<p><i>CCSS.ELA-Literacy.RI.9-10.1 CCSS.ELA-Literacy.RI.9-10.2 CCSS.ELA-Literacy.SL.9-10.1.a          CCSS.ELA-Literacy.SL.9-10.1.b CCSS.ELA-Literacy.SL.9-10.1.c CCSS.ELA-Literacy.SL.9-10.1.d          CCS.ELA-Literacy.CCRA.R.2 CCS.ELA-Literacy.CCRA.R.6 CCS.ELA-Literacy.RH.11-12.8</i></p>

<p><b>Integration of 21st Century Themes &amp; Skills</b></p>
<p>8.1.12.DA.1, 8.1.12.DA.5, 8.1.12.AP.5</p>

<b>Integration of Technology</b>
8.1.12.DA.1, 8.1.12.DA.5, 8.1.12.AP.5
<b>Career Education- NJSLS 9</b>
9.2.12.CAP.1, 9.2.12.CAP.3, 9.2.12.CAP.16

<b>Accommodations and Modifications</b>	
IEP	<p>Appropriate accommodations, instructional adaptations, and/or modifications as determined by the IEP or 504 team) In-Class-Support Graphic Organizers, Provide study guides, Extended time on assessments ,Research guides, Analogies, Highlighting/underlining, Note-taking guides, Cue cards, Establish timelines, Clarify assignments, directions, instructions, Chapter/lecture notes, Assistive technology, Provide computer programs to assist with written assignments, Highlight key vocabulary, Model skills/techniques, Parent/teacher communication, Provide books on tape/CD/digital media as requested by student when appropriate. Assign peer helper in class, Pair visual prompts with verbal presentations, Repetition and practice, Provide verbal reminder of assignments, Check student independent work, Assist student with planning of assignments, Modifications for Homework and Assignments: Extended time to complete assignments, Simplify complicated assignments into smaller units in phases as needed by student, Provide student with clearly stated and written expectations and grading criteria for assignments. Modifications for Assessments: Extended time for tests and quizzes, Restate and clarify directions and questions , Provide study guides for classroom tests, Establish procedures for accommodations/modifications for assessments.</p>
English Language Learners	<p>Modifications for Homework/Assignments, Modified in-class assignments, Building background information, Simplifying language for presentation, Internet bilingual dictionaries during class and during assignments, Word banks for tests and quizzes, Developing content area vocabulary, Extended time for all assessments, Use of graphic organizers, Internet text translators, Simplification of requirements, Access to teacher designed Powerpoints and notes, Concept development, Collaboration between ESL and mainstream classroom teacher,. Pair novice ELLs with advanced ELL's, High-interest / low-reading-level civics and history materials, Extended time to complete</p>

	<p>assignments, Internet text translators, Use of graphic organizers, Modified homework assignments, Internet bilingual dictionaries, Provide student with clearly stated and written expectations and grading criteria for homework.</p>
<p>Students At-Risk of School Failure</p>	<p>Modifications for Classroom Pair visual prompts with verbal presentations Intervention and Referral Team (I&amp;RS) in-house strategies for teachers. Extra textbooks at home Extended time for assignments Highlight key vocabulary Pair visual prompts with verbal presentations Model skills/techniques Modify assignments Preferential seating as noted by teacher and student Parent/teacher communication Provide books on tape/CD/digital media as requested by student when appropriate. Assign peer helper in class Pair visual prompts with verbal presentations Repetition and practice Provide copy of class notes Use of computers to complete assignments as requested by a student Provide verbal reminder of assignments Check student independent work, Modifications for Homework and Assignments: Extended time to complete assignments, Simplify complicated assignments into smaller units in phases as needed by student, Provide student with clearly stated and written expectations and grading criteria for assignments. Modifications for Assessments: Extended time for tests and quizzes, Restate and clarify directions and questions , Provide study guides for classroom tests, Establish procedures for accommodations/modifications for assessments.</p>
<p>Gifted and Talented</p>	<p>Extension Activities, Incorporate challenging assessments, Open forums and debates in the classroom regarding controversial issues. Utilize advanced materials and resources to meet the needs of students. Competitive and collaborative projects, Independent projects requiring research skills for assessing information, Anchor Activities, Advanced discussion techniques</p>
<p>Students with 504 Plans</p>	<p>Appropriate accommodations, instructional adaptations, and/or modifications as determined by the IEP or 504 team) In-Class-Support Graphic Organizers, Provide study guides, Extended time on assessments ,Research guides, Analogies, Highlighting/underlining, Note-taking guides, Cue cards, Establish timelines, Clarify assignments, directions, instructions, Chapter/lecture notes, Assistive technology, Provide computer programs to assist with written assignments, Highlight key vocabulary, Model skills/techniques, Parent/teacher communication, Provide books on tape/CD/digital media as requested by student when appropriate. Assign peer helper in class, Pair visual prompts with verbal presentations, Repetition and practice, Provide verbal reminder of assignments, Check student independent work, Assist student with</p>

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## **Unit 1**

### **Crime In America**

#### **Summary**

**This unit will introduce students to the basics of the American Legal System. Through the study of the differences between criminal and civil cases, the functions of the courtroom and roles within the trial process, checks and balances, and how the goals and values of the legal system affect the writing of laws.**

#### **Essential Questions**

- **What does it mean to have a democracy?**
- **What does it mean to have a democracy?**
- **How can we be involved in the change process?**
- **Does the government work for the people?**
- **How should governments balance majority rule with minority rights?**
- **How does the Constitution establish justice?**
- **What does it mean to value and respect diversity?**
- **Are laws applied fairly?**
- **How have diverse groups struggled for equality**
- **What characteristics distinguish criminal from civil cases?**

- **What are the elements of a crime?**
- **What are the degrees of criminal homicide?**
- **What are the major types of property crimes in the US?**
- **What are the greatest dangers of cybercrime?**
- **What are hate crimes?**
- **What are some ways that a defense attorney can try to establish reasonable doubt?**
- **What is an affirmative defense?**
- **What are the main justification defenses?**
- **What are the main excuse defenses?**
- **What is required for a valid argument of self-defense?**

<b>Unit Title- Crime in America Timeframe</b>	
<b>Topic/Module/ Sub-Unit</b>	<b>Objectives</b>
Crime and Lawmaking	<p>Students will be able to determine which crimes are classified as misdemeanors and which are classified as felonies.</p> <p>Students can describe what is meant by specific intent, general intent.</p> <p>Students will know what are the major types of property crimes in the US.</p> <p>Students will be able to describe the greatest dangers of cybercrime</p> <p>Students will study hate crime and know how the law treats these crimes differently.</p> <p>Students will know the degrees of criminal homicide.</p>

<p>Criminal and Civil Courts</p>	<p>Students will be able to determine what characteristics distinguish criminals from civil cases.</p> <p>Students will know what is an affirmative defense.</p> <p>Students will know what the main justification defenses are.</p> <p>Students will be able to list and describe the main excuse defenses.</p>
<p>Bill of Rights, Due Process, Privacy, and Equal Protection</p>	<p>Students will be able to explain what parts of the Bill of Rights come into play in the court system.</p> <p>Students will know what is required for a valid argument of self-defense.</p> <p>Students will know what the law states about defending your home elements of a crime.</p> <p>Students will study hate crime and know how the law treats these crimes differently.</p>

## Resources and Materials

[\*We the People - civiced.org\*](http://www.civiced.org)

[\*Street Law\*](#)

[\*Landmark Supreme Court Cases\*](#)—provides a full range of resources and activities to support the teaching of landmark Supreme court cases

[\*Law and Justice\*](#)—The curriculum helps students develop knowledge and skills to contribute to and improve the legal and criminal justice systems, as youth now and as professionals tomorrow.

[\*High School Lesson Plans - Judges in the Classroom\*](#)—collection of lessons designed for high school law classes

[\*Street Law at the UW School of Law\*](#)—lesson plans for high school street law class

Constitutional Rights Foundation: [\*Bill of Rights in Action\*](#)

“Search and Seizure: Did the Government Go too Far,” Mini DBQs in Civics Education. DBQ Project. [[\*Article 1\*](#); [\*Article 2\*](#); [\*Article 3\*](#)]

[\*Ava Durvanay’s documentary 13th\*](#) (Parental Permission Slips Needed)

[\*Essentials of Criminal Justice Text\*](#)

## Assessments

### Formative Assessment

- *Felony or Misdemeanor?*
  - In this activity, students evaluate whether certain actions should be crimes, and if so, whether they should be felonies or misdemeanors.
    - Form pairs. Each pair should: a. Read and discuss Criminal Acts? below. Each of the persons described is an adult.
    - Answer the following questions for each act: Should the act described be a crime? Why or why not? If so, should it be a felony or misdemeanor? Why?
  - Reconvene as a class and share group answers
- *Criminal Acts?*
  - Margaret tells the police that an officer who stopped her on the street was verbally abusive to her. She is lying.
  - Sam sees a young boy struggling in a pond and calling for help. Sam does nothing and the boy drowns.
  - Dick is married to Suzanne and Mary.
  - Ruby promises to give Harry \$1,000 if he graduates from college. He graduates and she refuses to give him the money.
  - Robert holds a toy pistol to Ashley's head and demands all of her cash and jewelry. She believes it's a real gun and hands over the goods.
  - Pedro calls a local pizza parlor and orders five pizzas to be delivered to a phony address.
  - Jane's country is at war. She shoots and kills an enemy soldier.
  - John lets his dog run wild around the neighborhood, even though he knows that the dog

scares young children and constantly knocks over garbage cans looking for food.

- *What's the Crime?*

- In this activity, students analyze a hypothetical to determine what crimes have been committed.

- Divide into pairs.

- Each pair should:

- Read Thievesville, U.S.A., below.

- Imagine that the state in which Thievesville, U.S.A., is located has laws against larceny, burglary, robbery, armed robbery, embezzlement, fraud, extortion, and receiving stolen property.

- Determine which of these crimes, if any, each person committed. Review the article for information on each crime.

- Write down the offender, which law the offender broke, and why.

- Prepare to report the answers to the whole class.

- The pairs should report, and the class should discuss the answers. Thievesville, U.S.A. Amy, Bob, Carol, Dave, Eden, Frank, and Gina all live in separate houses in the same neighborhood. Determine which laws, if any, each of these persons broke. Early every morning Amy goes from house to house stealing newspapers. She gets about 20 every day. She takes them to the corner newsstand run by Bob and sells them to him for a nickel apiece. She takes the dollar she earns and deposits it in the bank. She always goes to her favorite teller, Carol. Carol has a policy of taking 5 cents of every deposit for herself. She only makes a few dollars a day (all in nickels), but over the years the money has added up to \$1,200. She doesn't dare put it in the bank. She keeps it at home under her mattress. One day Dave is out searching for his newspaper when he sees that Carol has left one of her bedroom windows open. He seizes the opportunity, crawls in, finds the bulging mattress, and steals her money. As Dave crawls out the window, Eden sees him. She writes Dave a note, "I saw you. If you don't pay me \$1,000, I'll tell the police." Dave thinks he better pay Eden off. Late at night, he takes \$1,000, puts it in a bag, and walks toward Eden's house. But Frank is lurking in the bushes. Frank sneaks behind Dave and jabs his finger in Dave's back, saying, "I've got a gun. Just drop the bag on the ground and leave. Don't turn around." Dave does as he's told. When Dave gets home, he realizes he has to raise some cash fast to pay off Eden. He calls his

neighbor Gina, who he's heard is an investment wizard. He tells her he only has \$200 and needs \$1,000 soon. She says, "No problem. I've got an investment paying 5-1, guaranteed. It's a sure thing." Dave gives Gina \$200. She puts it with all the other "investments" she's received recently and flies to Rio to live where none of her "investors" can find her.

- *Hate-Crime Bill:* In this activity, students role play a legislative session on a proposed hate-crime law.
  - Imagine that the following law is being proposed in your state: Anyone who intentionally selected the victim of the crime because of the victim's race, gender, religion, color, disability, sexual orientation, national origin, or ancestry shall have his or her sentence increased by 30 percent over the normal sentence.
  - Divide into groups of three. Every student in each triad should have one of these three roles: state legislator, supporter of the bill, opponent of the bill.
  - The legislators, supporters, and opponents should meet separately to prepare for the role play. The supporters and opponents should think up their best arguments and the legislators should think of questions to ask each side.
  - Regroup into triads and begin the role play. The legislator should let the supporter speak first and then have the opponent speak. The legislator should ask questions of both. After both sides present, have the legislators move to the front of the room, discuss the proposed law, and vote. Each legislator should individually state his or her opinion on the bill.
  - Debrief by asking what were the strongest arguments on each side.
    - What is the purpose of a trial court?
    - What option is available to a party in a trial court?
    - Look at the table of crime data below. Which conclusion can be drawn from the data? Which factors are frequently cited as contributing to increased crime rates?
    - Which graphic below accurately reflects the sequence of events in the criminal justice process? What is the standard for conviction in a criminal case?
    - What accounts for the conviction of innocent people?

- Explain two examples of bias or discrimination in the criminal justice system.

## Summative

### Summative Assessment

- *Did They Commit Crimes?*
  - In this activity, students analyze five cases to determine whether criminal conduct has taken place.
    - Form groups of four. Each group should:
      - a. Read and discuss the five cases that follow.
      - b. Refer to the explanations above of the four basic elements of a crime — (1) act, (2) intent, (3) concurrence of act and intent, and (4) causation.
      - c. Assign one element of a crime to each person in the group. Have that person say whether that element is present in each case, and then discuss whether the whole group agrees. To find the definition of a crime, refer to the glossary (at the back of the book).
      - d. When the discussion is completed, assign one case to each student for reporting back to the whole class. Be prepared to explain and discuss each element.
    - Reconvene as a class and share the answers.
      - CASE 1: Tim Marcos and his friends, Tim and Jill, were having a beer together at their local bar. When Tim went to the jukebox to play more music, Marcos asked Jill to dance. Tim became jealous and punched Marcos in the face. Tim has been charged with battery.
      - CASE 2: Karen Karen told everyone that she hated Emily for stealing her boyfriend. Karen said she wanted to hurt Emily. Two months pass and Karen nudges a flowerpot off her second-floor patio as Emily stands below. The flowerpot hits Emily and gives her a concussion. Karen swears that she forgot all about her threats and didn't mean any harm. Karen is charged with battery.
      - CASE 3: Ray Mr. Ray Anderson sat on his front porch cleaning his rifle. Many children were playing on the sidewalk in front of his home. When Anderson turned the gun over, it went off, killing one of the children in the crowd. He has been charged with involuntary manslaughter.
      - CASE 4: Susan Susan was shopping in her favorite department store. She saw a sweater that she liked, stuffed it into her book bag, and ran out of the store. A security guard caught her. Susan has been charged with shoplifting.

- CASE 5: Gayle Gayle shoots Mary in the big toe. Mary goes to the hospital to have her toe examined and treated. One week later, Mary dies of blood poisoning that she got from an unsterilized medical instrument. Gayle is charged with murder.

- *Death in the School Halls*

- In this activity, students examine a hypothetical killing and determine what crime was committed.

- Divide into groups of four and read the following case: One day in gym class, Adam made fun of the way Rick was shooting a basketball. Rick told Adam to shut up or else he would take care of him. Adam couldn't help making another comment on the way Rick was shooting. Rick grabbed Adam and beat him up. Adam ended up with a broken nose and a black eye, and he decided to get even. He dug his father's pistol out of the attic, loaded it, and headed off to school to find Rick. He waited at Rick's locker for almost an hour, but Rick never showed up. Adam became impatient. Nervously he checked the gun again to make sure that all the chambers were loaded. Just then the school bell rang out, startling Adam into firing the gun by accident. The bullet ricocheted off a locker and hit a student who was walking out of class. She was killed instantly.

- In each group, assign one person to each of the following crimes: murder, felony murder, voluntary manslaughter, and involuntary manslaughter.

- Each person should:

- Decide whether the crime described above fits the crime assigned to him or her. Be prepared to explain why or why not.
- Discuss the case in your group. Go through the crimes, one by one, and the person responsible for that crime should explain whether the case fits that crime or not. Discuss why or why not.
- Reconvene as a class and compare each group's finding

- *Section 1001*

- The federal crime of lying to federal officials is the newest and most controversial of the crimes against the justice system. Unlike perjury, this crime does not require that the person made the statement under oath. Below is the statute. 18 U.S. Code 1001.

Statements or entries generally (a) . . . Whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully — . . . (2) makes any materially false, fictitious, or fraudulent statement or representation; . . . shall be fined under this title, imprisoned not more than 5 years . . . , or both. In this activity, students role play appeals courts and decide some actual cases dealing with this statute.

- Divide into small groups.
- Each group should:
  - Read and discuss each of the three cases below.
  - Decide whether each defendant is guilty under the statute.
  - Be prepared to report its decisions and reasons for them to the class.
- Ask the groups to report their decisions. Hold a discussion on each case.
  - *Brogan*: Brogan was an officer in the union representing the employees of JRD Management Corporation. Investigating Brogan for taking bribes, FBI agents knocked on his door and asked him if he had ever accepted cash or gifts from the company. Brogan lied and denied doing so. Brogan was later convicted of bribery and of violating 1001 by lying to the agents. On appeal, Brogan argued that Congress did not intend 1001 to apply to a simple denial of guilt. (*Brogan v. U.S.*, 1998)
  - *Turner*: Turner directed the Division of Physical Services in Illinois from 1999 to 2005. During that time, Turner actively covered up that three of his employees were falsifying their time cards and getting paid for time that they didn't work. Eventually, the FBI investigated and persuaded one employee to turn over recorded conversations and other evidence. Acting on this evidence, FBI agents asked Turner if he had been covering for these employees, Turner denied any coverup, and even after recorded conversations were played for him, he still denied the allegations. Turner was convicted of embezzlement and violating 18 U.S.C. 1001. On appeal, Turner argued that because the FBI already knew that he participated, his denial was not material, as it could not persuade the agents conducting the investigation, and therefore he was not guilty of violating 1001. (*U.S. v. Turner*, 2008)

- *Yermian*: Working for a defense contractor, Yermian needed access to classified information to do a particular job for the contractor. He was required to fill out a security questionnaire provided by the Department of Defense to obtain a security clearance. In response to a question about whether he had ever been charged with any crime, Yermian did not mention that he had been convicted of mail fraud. He was charged with violating 1001. At trial, Yermian argued that he thought the questionnaire was going to his employer, not the federal government. The trial court ruled it was irrelevant whether he knew it was going to the federal government. Yermian appealed, claiming 1001 required such knowledge. (U.S. v. Yermian, 1984)

### Benchmark

*FREE RESPONSE/SAQ Writing Task*—Choose one or two of the following articles and create an SAQ writing assignment that the students can pick and side and present an argument for their opinion on the article:

- [\*Mandatory Minimums Debate\*](#)
- [\*\[PDF\] Reducing racial disparity in the criminal justice system: a manual for practitioners and policymakers | Semantic Scholar\*](#)
- [\*Criminal Justice Facts | The Sentencing Project\*](#)
- [\*Brock Turner's Sentencing Revives Mandatory Minimums Debate : NPR\*](#)

[\*Justice for All? Challenging Racial Disparities in the Criminal Justice System | Prison Policy Initiative\*](#)

### Alternative

Students create their own scenarios, gain teacher approval, and work within groups to discuss the crime, potential charges, and confines of the case.

## Unit 2 Overview- Policing

### Unit Summary

#### *Policing*

**An arrest takes place when a person suspected of a crime is taken into custody. The police may have an arrest warrant, which shows that a judge agrees there is probable cause for the arrest.**

To show probable cause, there must be some facts that connect the person to the crime. A police officer may use as much physical force as is reasonably necessary to make an arrest. However, a police officer who uses too much force or violates a citizen's rights can be sued under the federal Civil Rights Act.

A police officer does not need probable cause to stop and question an individual on the street. However, the officer must have reasonable suspicion to believe the individual is involved in criminal activity. The reasonable suspicion standard does not require as much evidence as probable cause. Therefore, it is easier for police to stop and question a person than it is to arrest a person.

### Essential Questions

- What is the difference between a search and a seizure?
- How does the Fourth Amendment protect people?
- What is a search warrant and what do officers have to prove before they can get a warrant from a judge?
- Why do courts require officers to obtain warrants?
- When is it reasonable for a police officer to make a search without a warrant?
- What are the Miranda warnings and what are they supposed to prevent?
- What role does the Fifth Amendment play in the court systems?
- What controversies surround racial profiling?
- When can police use force to make arrests?
- Who should police the police?
- How can you best assure mutual respect between you and the police?

### Unit Title- Policing

Topic/Module/ Sub-Unit	Objectives
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<p>Arrests</p>	<p>Students will be able to detail and discuss methods that police use conducting investigations.</p> <p>Students will be able to explain how police officers use lineups, show-ups, and informants.</p> <p>Students will be able to describe how DNA technology has changed the field of law enforcement.</p> <p>Students will be able to identify the Fourth Amendment and how it pertains to search and seizures conducted by the police.</p>
<p>Search Warrants and Miranda Rights</p>	<p>Students will be able to detail and discuss methods that police use conducting investigations.</p> <p>Students will be able to explain how police officers use lineups, show-ups, and informants</p> <p>Students will be able to describe how DNA technology has changed the field of law enforcement.</p> <p>Students will be able to identify the Fourth Amendment and how it pertains to search and seizures conducted by the police.</p> <p>Students will be able to explain why warrants are important and describe what steps are necessary for police to obtain a search warrant.</p> <p>Students will be able to identify situations where police officers can conduct searches without warrants.</p> <p>Students will be able to explain the significance of the Miranda v. Arizona case and discuss how it has changed police work.</p>
<p>Current Policing Issues</p>	<p>Students will be able to detail and discuss methods that police use conducting investigations.</p> <p>Students will be able to identify situations where police officers can conduct searches without warrants.</p> <p>Students will be able to explain the significance of the Miranda v. Arizona case and discuss how it has changed police work.</p> <p>Students will be able to discuss the limits of police authority and explain some of the controversies that police face in modern day society.</p>

Students will be able to explain the importance of the Fifth Amendment as it relates to police questioning and the court system.

## Assessments

### Formative Assessment

- **Is This the One?** In this activity, students analyze police procedures for identifying suspects.
  - Form pairs. Each pair should: a. Read each of the cases below. b. For each case, discuss and answer: (1) Why might this identification be unreliable?
  - What should the police have done to make it more reliable?
  - Do you think the identification should be admitted in court? Explain.
- The pairs should report back and discuss each case with the whole group.
  - **Case #1: Hospital Visit.** An attacker in the victims' home slays the husband and severely wounds the wife. Police bring a suspect to the hospital handcuffed to a police officer. The suspect is the only African American in the room. An officer asks the wife whether the suspect is "the man." After the suspect repeats "a few words for voice identification," the wife identifies him as the attacker. At trial, the wife identifies the suspect. (*Stovall v. Denno*, 1967)
  - **Case #2: Hallway.** An undercover officer buys heroin from a dealer in a hallway lit only by natural light. The two stand two feet apart for about three minutes. Afterward, the officer describes the dealer to another officer as "a colored man, approximately five feet eleven inches tall, dark complexion, black hair, short Afro style, and having high cheekbones, and of heavy build." The other police officer thinks he recognizes the suspect from the description. He leaves a police photograph of the suspect for the undercover officer, who sees it two days later and identifies it as the picture of the dealer. In court, the officer identifies the suspect. (*Manson v. Brathwaite*, 1977)
  - **Case #3: Lineups.** At an initial lineup, the witness fails to identify the suspect. Police arrange a showup, at which the witness makes a tentative identification. Finally, at another lineup, the witness makes a definite identification of the suspect. (*Foster v.*

California, 1969) Case #4: Parking lot showup. A woman calls police and reports seeing from her apartment a man rampaging through a parking lot. Police arrive, stop a man, and an officer goes to the witness's apartment to talk to her. When police ask her to describe the man, the witness points out her window to the man standing next to the police officer in the parking lot. The witness later fails to identify the man in a throw-down at the police station. (Perry v. New Hampshire, 2012)

- **Cases After Ross:** Since the Ross case, the U.S. Supreme Court has made a number of decisions on automobile searches. In this activity, students role play justices of the Supreme Court and decide some important automobile search cases.
    - Form small groups. Each group will role play the U.S. Supreme Court.
    - Assign each group one of the Automobile Search Cases, below.
    - Each group should:
      - Discuss and decide these questions about its assigned case: (1) How is this case similar to the Ross case? How is it different? (2) Does the automobile search in this case violate the Fourth Amendment? Explain.
      - Be prepared to report its answers and reasons for them to the class.
      - If time permits, read and discuss the other cases so group members can weigh in on the discussion of them.
4. Have the groups assigned to each case report on their decisions and hold a class discussion on each case. Automobile Search Cases California v. Carney (1985). Carney met a young person in downtown San Diego. A Drug Enforcement Administration agent followed them to a nearby motor home, which DEA agents had heard was being used to trade marijuana for sex. Agents waited outside the motor home. When the young person left, agents stopped him. He told agents that Carney had given him marijuana to have sex with him. They returned to the motorhome and had the young person knock on the door. When Carney answered, they showed him their badges. With probable cause but without Carney's consent or a warrant, they entered the motor home, found marijuana, and arrested Carney. California v. Acevedo (1991). A federal drug enforcement agent sent police in Santa Ana, Calif., a package of marijuana he had intercepted. The police took the package to a nearby Federal Express office and waited for someone to claim it. The next morning, Jamie Daza picked up the package, and with police following him, took it to his apartment. One officer went to get a search warrant while others watched the apartment. An hour later, Charles Acevedo entered the apartment, stayed for about 10 minutes, and emerged with a brown paper bag. Acevedo walked to his car, put the paper bag in the trunk, and began to drive away. Police stopped him, opened the trunk and the bag, and found marijuana.

Wyoming v. Houghton (1999). Wyoming Highway Patrol officers pulled over a car for speeding and having a faulty brake light. One officer noticed that the driver had a hypodermic syringe in his shirt pocket. He asked the driver to step out of the car and asked him about the syringe. The driver admitted that it was for taking drugs. Officers had the two passengers, both females, get out of the car and asked for their identification. One of them, Sandra Houghton, lied to officers, giving a false name and saying she had no identification. The officers began searching the car. On the back seat was a purse, which Houghton said belonged to her. An officer opened the purse, found her wallet, and pulled out her identification. He kept searching the purse and found a brown pouch, which Houghton said was not hers. Inside the pouch was a syringe containing 60 ccs of methamphetamine. The officer also found track marks on her arms. She was arrested. Arizona v. Gant (2009). Police in Tucson, Ariz., went to a house where, according to an anonymous tip, drugs were being sold. Rodney Gant answered the door, identified himself, and told the officers that the owner would be back later. After they left, police found that there was an arrest warrant for Gant for driving with a suspended license. The officers returned at night and arrested a woman in a car in front of the house for having drug paraphernalia. They also arrested a man near the back of the house when he provided a false name. After they put the two in separate patrol cars, they saw Gant drive up, park in the driveway, get out of his car, and walk toward the officers. They arrested him and put him in another patrol car. Officers then searched Gant's car, finding a gun and a bag of cocaine

- **Applying the Checklist:** In this activity, students apply the Search and Seizure Checklist to evaluate the legality of some hypothetical search and seizures.

- Form pairs. As a pair, do the following:

- Review the checklist on page 122 and what you have learned about search-and-seizure law.

- Analyze the following cases and decide if any Fourth Amendment violations have occurred.

- Be prepared to explain your answers and discuss any differences of opinion that may arise.

- Regroup as a class and discuss each case.

- Case 1: Hans Metcalf. Smith and Houston, special investigators from the district attorney's office, had been following Hans Metcalf, a suspected bookie. They saw him enter a telephone booth with a briefcase in his hand and make a short call. He then left the phone

booth, but without his briefcase. Smith and Houston rushed to the phone booth, opened the briefcase, and found several bundles of betting slips. Just then, Metcalf returned to retrieve his briefcase and he was arrested.

- Case 2: Vivian Madison. Mary Krensy was angry with her roommate, Vivian Madison. She went to the police and offered to show them where Vivian was hiding 50 stolen holiday turkeys. The police accompanied her to the garage both women shared and discovered 50 turkeys reported stolen from the Henderson Poultry Company. The police confiscated the poultry and placed Vivian under arrest.

- Case 3: Dan Lewis. Officer Hanano was on patrol late at night. Suddenly, she spotted a house trailer behind, but not attached to, a car with no license plates. On closer inspection, she noticed a thin wisp of smoke escaping from one of the trailer windows. She walked to the door and knocked a few times. A voice called back, "Go away!" The officer forced opened the door and found a young man preparing a liquid substance in a makeshift laboratory. Officer Hanano arrested the man, whose name is Dan Lewis, for the manufacture of illegal drugs.

- Case 4: Betty Kim. Acting on an informant's tip that Betty Kim was receiving stolen property, Detective Drebs went to her apartment to talk to her. She invited him in, but when he started to poke around the living room she screamed, "I said you could talk, not search the place. Get out!" He grabbed her, put handcuffs on her, then frisked her. He found a scout knife in her pants pocket and arrested her for disturbing the peace and carrying a concealed weapon. He then searched the living room and found a stolen stereo receiver.

- Use a vocabulary word/concept map to unpack key vocabulary for this unit: criminal justice, probable cause, reasonable suspicion, beyond a reasonable doubt, felony, misdemeanor.

- Use a K-W-L Chart.

- Have students assume the role of a commission established to evaluate criminal laws. Provide students with a series of actions. In each case, students should first decide whether or not the act should be treated as a crime. Then, use a continuum activity to have students rank the crimes from most serious to least serious.

- Write the scale on the board from: Very Serious, Serious, Undecided, Less Serious, Not Serious. Read each action one by one and have students move to the appropriate place on the

spectrum and defend their position.

- Create a chart to summarize the types of crimes, giving definitions and examples of each type. Use spreadsheet software to analyze crime rates. Convert data tables in graphs and charts. Have students write claims based on the data and support the claims with evidence.
- Create a flow chart to summarize the sequence of events in the criminal justice process from arrest to incarceration. The flow chart should detail each step and alternatives (plea bargaining vs. trial).
- Discuss the concepts of probable cause and reasonable suspicion. Provide students with scenarios (real or fictional) and discuss whether police would have probable cause or reasonable suspicion to make a stop or search. In which scenarios should police be required to get a warrant before making a search?
- Use current news sources to examine recent issues or cases related to bias or injustice in the criminal justice system. What arguments are presented? What evidence and reasoning supports the arguments?
- Read and discuss cases in which juveniles were charged as adults. Discuss the factors of the case and decide whether the adult charges were warranted.

## Summative

### Summative Assessment

- **Checking Out Community Policing:** In this activity, students research and report on local or national efforts at community policing.
  - Form teams. Each team should:
    - Find a police department in your area that is putting into practice at least some part of community policing. (If there is none in your area, choose one of the major plans, such as New York, Chicago, San Diego, or Seattle and use the Internet or library to conduct your research).
    - Look up articles in your local newspaper or local magazines about the system. Summarize the articles on a sheet of paper.
    - Talk to someone in the police department about his or her experiences.
    - Prepare a report on the successes and failures of the local strategy. Divide

the report so everyone gets to contribute.

- The teams should present their reports to the class.
- **Is It a Search?** In this activity, students analyze and research cases to determine whether a search or seizure has taken place.
  - Form groups of 10. Each group should:
    - Discuss each of the cases below and decide if a search or seizure has taken place in each case.
    - Each group member should be assigned one of the cases cited to look up. The cases can be found on the Internet or at a law library.
  - After researching, students should meet in one of 10 groups according to the case they looked up. In this “expert” group, students should:
    - Discuss the case and prepare to report on it to the class.
    - One person should be assigned to report on the facts of the case, another to report on what the court majority decided and why, another on what the court dissenters believed and why, and finally each member should state how he or she would have decided the case and why.
      - Cases A: Unable to see over Mike’s 10-foot-high fence, police hire a plane and fly over the house at 1,000 feet and see marijuana plants growing in the backyard. See *California v. Ciraolo* (1986) and *Florida v. Riley* (1989). Unit 2: The Police 109
      - Case B: Police install a device at the phone company office that keeps track of the numbers that Gilbert dials from his home phone. See *Smith v. Maryland* (1979).
      - Case C: Suspecting drug dealing, police have the trash collector turn over Bill’s trash to them instead of throwing it in the trash truck. See *California v. Greenwood* (1988).
      - Case D: The FBI listens to Joe’s conversation by attaching an electronic eavesdropping device to the outside of the public telephone booth he uses at 11 a.m. every day. See *Katz v. U.S.* (1967). e. Investigating a shooting, police legally enter an apartment looking for

weapons and the shooter. While inside, an officer spots a high-priced stereo, which seems out of place in the rundown apartment. The officer picks it up, jots down the serial number, puts it down, calls headquarters, and finds out the stereo is stolen. See *Arizona v. Hicks* (1987).

- Case F: Oliver posts “no trespassing” signs around his land and locks the gate to his property. Police go onto a highly secluded part of his land about a mile from his house and find marijuana plants growing. See *Oliver v. U.S.* (1984).
- Case G: A Border Patrol agent boards a bus in Texas. As he walks down the aisle, he squeezes the luggage that passengers have stored above their seats. When he squeezes Steven’s bag, he feels a suspicious “brick-like” object, which the agent believes to be a “brick” of methamphetamine. See *Bond v. U.S.* (2000).
- Case H: Suspecting that Danny was growing marijuana in his house, federal agents scan the house with a thermal imager to see whether it was emitting abnormal amounts of heat consistent with lamps for growing marijuana. See *Kyllo v. U.S.* (2001).
- Case I: Police stop Roy for a traffic violation. During the stop, an officer walks a drug-sniffing dog around the car, and the dog “alerts” the officer to drugs in the trunk. See *Illinois v. Caballes* (2005).
- Case J: Without Jones’ knowledge, police install a GPS device on his car and track where he goes in his car for a month. The tracking shows Jones makes frequent visits to a particular address, linking him to a drug conspiracy. See *U.S. v. Jones* (2012).
- Case K: Police receive an unverified tip that Jardines is growing marijuana in his home. Police take a drug-sniffing dog to Jardines’ front door, and the dog “alerts” officers that drugs are in the house. *Florida v. Jardines* (2012).

Debriefing Questions: 1) What is the test used by the Supreme Court to determine whether a search has taken place? 2) Do you think this is a good test? Explain. 3) Do you think the Supreme Court has applied this test satisfactorily in these cases? Why or why not? 4) A few police departments have begun using drones, which can observe people for 20 hours straight, flying high above noiselessly and out of sight. Is using a drone a search?

## Alternative

- Invite a prosecuting and/or defense attorney to speak to the class about the criminal justice system. Have them discuss the criminal justice process from their perspective and what they see as the successes, challenges, and failures of the criminal justice system.

## Benchmark Assessment

- [Policing the Police](#) –Students will watch this Frontline Documentary on the Police of Newark NJ. After watching this they will be asked to write an opinionated essay or response dealing with the topic of police reform in the state.

## Resources and Materials

**New Jersey v. T.L.O.**

**Debate on Insanity**

**Crash Course: Legal System**

**Which Defense is Valid?**

**Stand Your Ground**

**The Insanity Defense**

**Now and Then, Victim's Rights Amendment**

**Miranda v. Arizona**

**Mapp v. Ohio: The Exclusionary Rule**

[Essentials of Criminal Justice Text](#)

## Unit 3- Adjunction

### Unit Summary

The criminal justice process includes everything that happens to a person from the moment of arrest, through prosecution and conviction, to release from jail or prison. Every criminal case goes through several standard proceedings before it reaches court. In some cases, these proceedings eliminate the need for a trial.

Booking is the formal process of making a police record of the arrest. The accused person first provides some basic information for identification purposes and then is fingerprinted and photographed. Within a short time of arrest and booking, the accused must appear before a judge. The defendant has an attorney appointed or is given the chance to obtain one. The judge decides if the defendant will be released on bail or remain in jail while awaiting trial. Bail is an amount of money that an arrested person puts up in order to be released from jail while waiting for trial. The purpose of bail is to make sure the defendant appears at the trial. If the person fails to return for trial, the court keeps the money. Sometimes the court will release a person before trial without requiring bail because there is very little chance the person will attempt to flee.

A preliminary hearing is a screening process used in felony cases to decide if there is enough evidence to make the defendant stand trial. After an indictment or information is issued, the defendant must appear in court to enter a plea. If the defendant pleads guilty, the judge will set a date for sentencing. If the defendant pleads not guilty, the judge will set a date for trial and ask whether the defendant would like a trial by jury. The plea-bargaining process is often used to obtain guilty pleas before the trial begins. Most criminal cases never go to trial because most defendants plead guilty beforehand. In a plea bargain, the accused often will agree to plead guilty in exchange for a somewhat reduced sentence.

The Sixth Amendment guarantees the right to a jury trial in most criminal cases. However, a jury is not required in every case, and most trials proceed without one. The Sixth Amendment provides defendants with a right to a speedy trial in all criminal cases. Defendants in a criminal case have a right to compel, or force, witnesses to testify through the use of a subpoena—a court order that requires witnesses to testify. The Sixth Amendment also provides defendants with the right to face the witnesses testifying against them and to ask them questions through cross examination.

### Essential Questions

- What does it mean that prosecutors and defense attorneys are "officers of the court"?
- What are the rights of criminal defendants?

- What are the steps of the criminal case process?
- What is due process of law?
- What is double jeopardy?
- What occurs during an arrest?
- When do you need an attorney?
- What things usually occur in the pretrial stage of a criminal case?
- What is bail and why is it important?
- What are the advantages and disadvantages of plea bargaining?
- What happens at an arraignment?
- What role does a jury play in a criminal trial?
- What is the difference between direct and circumstantial evidence?
- What are some of the rules of evidence in a criminal case?
- When can an attorney make objections in trial situations?
- What qualities would a person need to be a successful trial lawyer?
- What things should and shouldn't be considered and discussed by the jurors?

<b>Unit Title- Adjudication</b>	
<b>Topic/Module/ Sub-Unit</b>	<b>Objectives</b>
Rights of the Defendant	<p><i>Students will be able to describe the roles that judges, prosecutors, and defense attorneys play in a court case.</i></p> <p><i>Students will be able to define, identify, and explain the significance of the</i></p>

	<p><i>rights that criminal defendants have in criminal and civil cases.</i></p> <p><i>Students will be able to make judgments as to which rights of the accused that they feel are the most important and detail why they feel that way.</i></p> <p><i>Students will be able to define what an arrest is and describe what is required to arrest an individual.</i></p>
Due Process	<p>Students will be able to describe what happens at a preliminary hearing.</p> <p>Students will be able to identify the typical proceedings in an arraignment.</p> <p>Students will be able to evaluate how lawyers on both sides choose a jury.</p>
Court Proceedings and Plea Bargaining	<p>Students will be able to discuss some of the strategies that attorneys use in criminal cases.</p> <p>Students will be able to determine when lawyers can make objections in a criminal case.</p> <p>Students will be able to identify the special rules that exist when examining witnesses.</p> <p>Students will be able to explain the importance of opening and closing statements as they relate to a criminal case.</p>

Assessments
<p>Formative Assessment</p> <ul style="list-style-type: none"> <li>● <b>Which Defense Is Valid?</b> In this activity, students look at hypothetical situations and decide which defense might be raised in the situation. <ul style="list-style-type: none"> <li>○ Divide into pairs. Each pair should: a) Read each of the hypothetical situations below. b) Decide which of the defenses mentioned in the article best applies to each situation. c) Discuss and decide whether you think the defense should work in that situation. d) Be prepared to explain your decisions and the reasons for them.</li> </ul> </li> </ul>

- Reconvene as a class and compare the findings from each group.
- Debrief the activity using the debriefing questions, below. Hypothetical Situations:
  - Ned is at a church social and drinks what he believes is non-alcoholic punch, but someone has spiked the punch with vodka. Ned gets drunk and walks home late at night singing loudly. He is arrested for disturbing the peace.
  - Jack, a federal agent, knows that Sam, a terrorist, has planted a nuclear weapon somewhere in an American city. The bomb will detonate in one hour and kill thousands unless it is found and defused. Jack tortures Sam until he tells Jack where it is. The bomb is found and defused. Jack is arrested for assault and battery.
  - Sylvia has been gambling for years. In five years, she won more than \$400,000 playing poker. She did not declare this money when filing her tax returns because she did not know she had to. She is charged with income tax evasion.
  - Officer James, in plain clothes, approaches Keri on the street and offers to sell her a “hot” radio for a cheap price. Keri at first refuses, but the officer persuades her to buy it. He arrests Keri for receiving stolen property.
  - Mark, who has been in and out of mental hospitals for years, hears a voice ordering him to kill Satan, who is disguised as his next door neighbor Phil. Mark kills Phil and is charged with murder.
  - Fred goes next door to his neighbor and asks for half a cup of flour. The neighbor, a drug dealer, thinks Fred means he wants cocaine and gives him half a cup. When Fred leaves his neighbor’s house, he is stopped by a police officer and charged with possession of cocaine.
  - Peter was walking down the street. Without warning, a man began hitting him with a rolled up newspaper. Peter pulled out a gun and shot him. Peter is charged with assault with a deadly weapon.
  - Nelson tells Lisa, a saxophone player, that he will “make sure she never plays the saxophone again” unless she shoplifts a portable digital audio player. She is caught and charged with shoplifting.
  - Debriefing Questions: 1. Which of the affirmative defenses seems most reasonable? Why? 2. Do you think any of them should be eliminated as

defenses? Explain.

- What is the purpose of a trial court?
- What option is available to a party in a trial court?
- Look at the table of crime data below. Which conclusion can be drawn from the data?
- Which factors below are frequently cited as contributing to increased crime rates? Select all the correct answers.
- Sort the crimes below into the correct columns as crimes against the person or crimes against property. Which graphic below accurately reflects the sequence of events in the criminal justice process?
- What is the standard for conviction in a criminal case?
- What accounts for the conviction of innocent people?
- Explain two examples of bias or discrimination in the criminal justice system
- Use current news sources to analyze a tort case in which damages were awarded. What were the facts of the case? How much money was awarded in damages? Does this amount seem reasonable? Why or why not?
- Read and analyze a sample contract. Decide whether or not the contract favors one party. Would you sign the contract? Have students brainstorm a list of deceptive sales practices.
- Have students collect evidence of deceptive practices they encounter in their daily life.
- Interview a social worker about family law and ask them how they make decisions about when to intervene in family situations
- Which statement is a characteristic of civil tort trials?
- Read the scenario below. What type of tort liability is alleged in this case?
- What is one important goal of tort reform? Explain two ways governments have provided protection for consumers.

## Summative

- **The Insanity Defense:** In this activity, students apply the four insanity tests to a hypothetical case.
  - Divide into groups of four. Each group should:
    - Assign each person in the group one of the insanity tests described in the preceding section. b. Read Mark’s Statement, below. c. Have each person apply his or her assigned insanity test to Mark to see if it fits. d. Have the whole group discuss whether each test fits.
    - Reconvene as a class and compare the findings from each group. Mark’s Statement During his trial for murdering a friend, defendant Mark made the following statement: I knew that it was wrong, but I couldn’t help myself. During the night of April 30, Beelzebub, grand duke of Hell, came to me with biddings from the master. He told me to kill my friend. I resisted, but his will was too strong and finally I had to do what I was told.
  - **Debriefing Questions:** 1) Which insanity tests fit Mark’s case? Which do not? 2) If Mark’s statement reflects his actual belief, do you think he should be found not guilty by reason of insanity? Why or why not? 3) Which insanity test, if any, do you think is best? Why?
- **Stand Your Ground?** In 2005, Florida enacted a new self-defense law called “Stand Your Ground.” The law contained several controversial provisions, including the two sections discussed below. One section of the law removed the duty of retreat when people are attacked outside their homes. This duty previously existed in Florida law. As long as the person is not engaged in illegal behavior and has a right to be in that place, the person “has the right to stand his or her ground and meet force with force, including deadly force if he or she reasonably believes it is necessary to do so to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony.” Thus this section lets people use deadly force even if they can safely leave the situation or can otherwise protect themselves. Another section involved the use of deadly force by a person lawfully in a home or vehicle. It allows such a person to use deadly force if the person “knew or had reason to believe” that an intruder was making or had made “an unlawful and forcible entry” into the “dwelling, residence, or occupied vehicle.” This is the only requirement. It does not require showing that the person feared harm or that the deadly force was necessary. The proponents of this law say that they are going to get every state legislature in the nation to pass a similar law. So far, they have managed to get more than 20 other states to pass similar laws. Imagine that this law has been proposed in your state. You are members of a legislative committee deciding on this law. You are considering only the two sections of the law dealing with the use of deadly force outside the home and in a home or vehicle.

- Form groups of five or six. Each group will serve as a legislative committee.
- Each committee should:
  - Reread the article, especially the Defense of Self and Defense of Home sections.
  - Discuss the pros of the proposed new law.
  - Discuss the cons of the proposed new law.
  - Decide whether or not to adopt each section of this law.
  - Be prepared to present its decision and the reasons for it.
- The committees should report to the class.

Hold a class discussion and then vote on the two sections.

#### Alternative

- Create a set of fictional civil case summaries. Have students read the descriptions of each and identify the plaintiff and the defendant, and determine whether the defendant should pay for the plaintiff's damages. Have students share their responses with a partner and explain their reasoning.

#### Benchmark Assessment

- **Sample Mock Trial:** Choose a mock trial that can be completed during the course. Assign students all the roles of the case. This project can be something that is worked on for the last 12 weeks of the course and can be a project grade as well as a benchmark assessment.
- [Mock Trial Cases Catalog](#)

### Resources and Materials

[\*Torts Liability: Mock Trial \(Washington Courts\)\*](#)

*Minors and Contracts (Washington Courts) - [Minors and Contracts](#)*

*[Federal Trade Commission Lesson Plans](#)*

*Structure of the Court System (Crash Course) - [Crash Course](#)*

*Legal System Basics (Crash Course) - [Crash Course](#)*

*Introduction to the American Criminal Justice System - [Introduction to the American Criminal Justice System - Open Textbook Library](#)*

*[Essentials of Criminal Justice Text](#)*

*Modern Democracy in America Text Set (CommonLit) - [Text Sets - Modern Democracy in America](#)*

*Juvenile Justice: What Should We Do With Children Who Break the Law? (Constitutional Rights Foundation) - [Development of the Juvenile Justice System](#)*

*How Reliable Are Eyewitnesses? (Constitutional Rights Foundation) - [Studies have shown that mistaken eyewitness testimony accounts for about half of all wrongful convictions](#)*

*(Washington Post) - [There's racial bias in our police systems. Here's the overwhelming proof. - Washington Post](#)*

## Unit 4 Overview- Corrections

### Unit Summary

The final stage of the criminal justice system begins with the sentencing of a guilty defendant by either a judge or a jury. The sentence is a critical decision in the criminal justice process because it can determine the defendant's fate for years or even for life.

Most criminal statutes set out basic guidelines for sentencing, but judges generally have considerable say in determining the appropriate sentence for a defendant. Judges may have several options for sentencing. These options include suspending the sentence—or allowing the defendant to serve the sentence at a later time; releasing the defendant to the supervision of a probation officer; and sentencing the defendant to serve his or her time at home. A judge may also issue a fine, require the defendant to pay back the victim for harm caused, or allow the defendant to work in the community during the day but return to prison at night or on weekends. The most severe sentences a judge may impose are imprisonment and death.

There are four general reasons given for punishing convicted defendants—retribution, deterrence, rehabilitation, and incapacitation. Parole is the release of a convicted person from

prison before his or her entire sentence has been served. Parole is a privilege that may be granted to those convicts who seem to have reformed and appear ready to rejoin society. Capital punishment, also known as the death penalty, is a highly controversial topic. The U.S. Supreme Court has upheld the constitutionality of capital punishment under certain circumstances. There are several treatment and punishment options available to the government, including halfway houses, mental facilities, and prisons.

### Essential Questions

- What is the purpose of punishment?
- How has punishment changed throughout the history of the United States?
- Why did prisons develop?
- What is the difference between fixed and indeterminate sentencing?
- What are mandatory sentences?
- Are too many people behind bars?
- What are the alternatives to prison?
- Who should be placed on probation?
- Are super-maximum-security prisons a good idea?
- What is the purpose of incarceration?
- What problems do parole officer's face?
- Why do prisons separate those sentenced to death from other prisoners?
- What are the controversies surrounding the death penalty?

Unit Title- Corrections	
Topic/Module/ Sub-Unit	Objectives

<p>Sentencing</p>	<p><i>Students will be able to identify the five reasons for punishing a lawbreaker.</i></p> <p><i>Students will be able to analyze how punishment has changed throughout American History.</i></p> <p><i>Students will be able to detail the different sentencing options that exist in the criminal justice system.</i></p> <p><i>Students will be able to make a judgment on whether or not they believe there are too many people behind bars.</i></p> <p><i>Students will be able to identify some of the alternatives to prison and evaluate how effective they are.</i></p>
<p>Punishments</p>	<p>Students will be able to identify the five reasons for punishing a lawbreaker.</p> <p>Students will be able to analyze how punishment has changed throughout American History.</p> <p>Students will be able to detail the different sentencing options that exist in the criminal justice system.</p> <p>Students will be able to identify some of the alternatives to prison and evaluate how effective they are.</p> <p>Students will be able to describe the parole boards' role in the criminal justice system..</p>
<p>Current Issues with Corrections</p>	<p>Students will be able to identify the five reasons for punishing a lawbreaker.</p> <p>Students will be able to analyze how punishment has changed throughout American History.</p> <p>Students will be able to make a judgment on whether or not they believe there are too many people behind bars</p> <p>Students will be able to describe some of the current controversies surrounding Prisons in America today.</p> <p>Students will be able to describe how juveniles are dealt with differently in the criminal justice system.</p>

## Assessments

### Formative Assessment

- **Cruel and Unusual:** In this activity, students take part in a role play of the Ewing decision on the constitutionality of California’s three-strikes law. 1. Form small groups. 2. Imagine that your group is the court deciding the Ewing case. Do the following: a. Review the facts of the Ewing case. b. Examine and discuss the majority, concurring, and dissenting opinions in the case. c. Decide how your group would decide the case. d. Prepare to present your decision and the reasons for it to the rest of the class. 3. Each group should report back. Debrief by asking what were the strongest arguments on each side.
  
- Do you think super-maximum-security prisons are a good idea? Explain.
  
- Do you think that prisoners should be able to challenge being placed in a super-max? Why or why not?
  
- Why do you think states and the federal government are turning to private facilities?
  
- Do you think privatizing prisons is a good idea? Why or why not?
  
- **Brown v. Plata:** Opinion pieces appear in many places — on the radio, on television, in newspapers and magazines, and in blogs. In this activity, you are going to get the opportunity to voice your opinion. Did the U.S. Supreme Court make the right decision in Brown v. Plata? This decision provoked much controversy. Write a persuasive article stating your opinion on the case. In your opinion piece, do the following: a. Explain the case. b. State your opinion on the decision. c. Back your opinion with persuasive arguments defending or attacking the decision. d. Be sure to counter arguments put forward by the other side. e. End with a strong conclusion. Before you turn it in, be sure to read it aloud to see if it reads well and proofread and correct it.
  
- **One Fine Day:** Some criminal justice experts recommend using day fines for most non-violent offenses. In this activity, students role play advisers to a governor considering instituting a comprehensive day-fine program.
  - Form small groups. Each is a group of advisers to the governor who is considering introducing legislation making day fines the only punishment for first and second offenses of non-violent crimes.
  
  - Each group should: a. Make a list of the pros and cons of such a proposal. b. Decide whether or not to recommend the proposal. c. Prepare to report back its recommendation and the reasons for it. 2. The groups should report back, and the class

should hold a discussion. Conclude the activity by taking a vote on whether or not the class favors the proposal.

- *Interview a probation officer in your community.* To find one, consult the governmental listings in your phone book or contact your local court. Find out about your jurisdiction's probation procedures and administration. For example, you might ask: • How are probation services organized in your jurisdiction? • What is the average caseload of a probation officer? • What percentage of offenders successfully complete their probation? How does this compare to other jurisdictions? • What is the typical day of a probation officer like? • What conditions are most important for successful probation? • What are the biggest challenges to successful probation?

### Summative Assessment

- **Prison Sentences:** Write a brief essay, either supporting or opposing the following proposition: America should continue to put more people convicted of crimes behind bars.
- **Parole Board:** In this activity, students role play members of a parole board deciding whether to grant parole to convicts.
  - Form groups of three to five students. Each group will role play a parole board and should:
    - Read each of the cases below.
    - Decide whether to grant or deny parole in each case.
    - Prepare to present its decisions and reasons for them to the class.
  - The groups should report on their decisions and reasons for them. Discuss what purpose further imprisonment would serve in each case.
  - Conclude the activity by holding a class vote on whether to grant or deny parole in each case.
    - **Case 1:** Sirhan Bishara Sirhan. See details on this case in the article above.
    - **Case 2:** Leonard Smith. Smith is one of the oldest prisoners held in your state. Fifty years ago when he was 18, he took part in a bank robbery. He held a knife to a teller's throat. When she did something that displeased him, he slit

her throat. Smith has been a model prisoner, has earned a college degree, and is deeply remorseful for his criminal act. He is serving an indeterminate sentence of one to 75 years.

■ **Case 3:** Helen Campbell. Five years ago Campbell was convicted of second-degree murder and sentenced to a fixed term of 15 years. Campbell murdered her husband in his sleep. Campbell testified (and witnesses supported her testimony) that her husband had beaten her for 10 years. Campbell has been a model prisoner. This is her first parole hearing.

■ **Case 4:** David Garcia. Garcia was convicted of burglary and sentenced under an indeterminate term of from two to 10 years. He has served seven years, twice as long as most for his crime. Prison officials consider him dangerous and potentially violent.

● **Life or Death:** In this activity, students role play sentencing juries in capital cases using a capital punishment statute. The defendant in each case has already been convicted of first-degree murder. Each jury must determine the penalty. The only two choices available are life imprisonment or death.

○ Form four juries—Review the Capital Punishment Statute, below. Each jury should decide one of the four cases on page 282–283. 2. Members of each jury should:

■ Make a list of the mitigating circumstances, those that seem to call for mercy.

■ Make a list of aggravating circumstances, or those that make the crime seem especially violent or repulsive.

■ Weigh the mitigating and the aggravating circumstances against each other. If they feel the case calls for leniency, they should recommend life imprisonment. If they think the case is particularly barbarous or savage, they should recommend death. The recommendation does not have to be unanimous. Only a majority is required for a sentencing recommendation.

■ Prepare to report to the class. One student in each group should report the mitigating circumstances the group considered. Another student should report the aggravating circumstances. A third student should report the sentence and the number of students who voted each way. Capital Punishment Statute. After finding a defendant guilty of murder in the first degree, the jury shall look at the circumstances of the crime and at the character of the individual defendant. If it finds the aggravating circumstances of the crime and the defendant outweigh the mitigating circumstances, it shall return a recommendation of the

death penalty. Otherwise, it shall recommend life imprisonment.

- Case 1: Luby Waxton Age: 22 Sex: Male Luby has been in and out of jail ever since he was a teenager. He was convicted of shoplifting, burglary, and assault with a deadly weapon. He received a light sentence for each, because he has the mental capacity of an 8 year old. On June 3 of this year, Waxton began drinking in the morning. He decided to rob a local grocery store to get some money. That afternoon, Waxton bought a small handgun. When he got to the market, he entered the store, bought some cigarettes, and then announced a holdup. Waxton went behind the counter and emptied the cash register. He put his gun to the sales clerk's head and pulled the trigger. The clerk, an old woman, died instantly. Waxton was convicted of armed robbery and murder in the first degree.
- Case 2: James Woodson Age: 24 Sex: Male Woodson has no prior record of being arrested. Woodson has been active in the anti-abortion movement. He believes that abortion is murder. After taking part in picketing an abortion clinic, Woodson became frustrated that the clinic remained open. He believed that much stronger action was necessary, but knew his fellow picketers would not go along with him. So late on the night of July 17, he broke into the clinic. He poured gasoline throughout the first floor and put a match to it. The clinic burned to the ground. Unknown to Woodson, a security guard was on the third floor. The guard died in the fire. Woodson was convicted of arson and first-degree murder.
- Case 3: Phong Tran Age: 18 Sex: Male Tran has a series of prior juvenile arrests for petty theft and assault. He has been involved in gang activity for the past five years. His family immigrated to the United States when he was 7 years old. His father abandoned the family shortly afterward, and his mother could not handle three children by herself. Placed in a foster home at age 13, he ran away and took to the streets. He found a new family in a local gang, headed by Tony Chin, age 35. Chin provided boys in the gang free housing, meals, movies, and video games. In return, they ran errands, protected Chin's businesses, and helped Chin's criminal enterprises. Tran looked on Chin as his father. On January 7 of this year, Chin handed Tran a gun and told him that a "customer" needed a new Mercedes. Tran went to a mini-mall and waited in the parking lot. When Sally Kim drove up in a new Mercedes, Tran ran up, pointed a gun at her, and demanded she get out. The car lurched and Tran shot Kim, killing her. Phong Tran was convicted of first-degree murder.
- Case 4: Sonia Williams Age: 27 Sex: Female Williams has no prior record. On September 10 of this year, Williams called the police and reported that she had been raped by a man named Greg. She was taken down to a hospital where a doctor examined her. He said he could find no evidence of rape. The police investigated her report and told Williams they could not arrest Greg. It was dark, they said, and so she could have been mistaken about the identity of the attacker. Besides, they said, Greg had a perfect alibi for the night in question. Williams decided to take matters into her own hands. She bought a gun and waited around the corner where he allegedly first

attacked her. When Greg and a friend approached, she told Greg she had been looking for him and was glad to see him. She invited the two men to go somewhere for a drink. They got into her car and drove to a secluded spot, where she shot and killed both men. Sonia Williams was convicted of first-degree murder.

- Debriefing Questions: 1) Do you think different juries would weigh the aggravating and mitigating circumstances differently? If so, is this fair? Why or why not? 2) If you were called to jury duty in a capital case, could you vote for the death penalty if circumstances warranted it? Why or why not? 3. Assume for the moment that you approve of the death penalty. What crimes should it apply to? Why?

### Alternative

- **Death Penalty Poll:** In this activity, students conduct a poll on the death penalty.
  - Decide who you are going to poll. It can be the community, the school, or just one grade level.
  - Decide on how to get a random sample of the group you are polling. Determine how large a sample you will take. Divide the class in two. One group should ask the first question; the other group, the second question.
  - Tabulate the results.
  - Debriefing Questions: 1. How do your results compare with the official poll results? 2. How do you account for the similarities or differences?

### Benchmark Assessment

*Final Mock Trial Presentation*