

Note to teacher: This unit engages students in potentially delicate conversations about race and crime. Students will enter these discussions with diverse, and perhaps conflicting, experiences and ideas about these topics. For example, some students may have a strong sense of racial identity, while others may have never given the topic any thought. Some may have been victims of crime, and others may have family members in prison. Alternately, some students may have had little exposure to crime and possess sensationalized notions of crime presented to them through various media. It is advisable to review your class discussion norms to set the climate for respectful and productive discussions. Additionally, we suggest discussing the following points before beginning the unit:

- One person does not represent an entire group. For example, don't ask a white student how white people feel about a topic. Instead, encourage alternate perspectives by asking general questions about how people in these positions may feel. If your students voluntarily connect their own race or personal background to the conversation, that is terrific—but otherwise, avoid cold-calling specific students to speak on a topic.
- Recognize and celebrate diversity. Point out that we all bring different, valuable experiences into the classroom. Consider all the ways that our perspectives have been shaped—by our families and friends, music, literature, television, etc. Can we predict what might amuse or offend others? Why or why not?
- Remind students to keep an open mind and be willing to change their perspectives. Encourage them to be receptive to new information and to ask questions when something piques their curiosity.

WHEN IS A CRIME NOT A CRIME?

SOCIAL STUDIES ACTIVITIES

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Overview of Activities

Unit 8.4

Session 1: In the Reader's Theater, four students discuss how an act can be considered legal in one setting and illegal in another. In a follow-up activity, students identify how each Reader's Theater character would respond to a text about debtor's prisons. Then, students use a chart to categorize and assign consequences to criminal offenses.

Session 2: Students consider the intended and unintended consequences of Stand Your Ground laws and then assign degrees of intent to homicidal acts. Students read about and discuss the homicide of 17-year-old Trayvon Martin by George Zimmerman, which was determined to be lawful under Florida's Stand Your Ground law.

Session 3: Students read about two issues that have been defined by opposing laws at the state and federal levels: interracial marriage and marijuana use.

Session 4: Students read about both true and hypothetical robberies and then debate whether intent should be considered in sentencing the defendants.

Session 5: Students integrate unit themes and information to write a response to President Obama's post-Zimmerman trial statement.

ELA: Students explore the themes of law and justice by analyzing an aria from the opera based on Herman Melville's *Billy Budd*.

Math: Students construct a scatterplot comparing per pupil spending with violent crime rate.

Science: Students read and discuss research connecting lead exposure to crime rates. In a follow-up activity, students differentiate between physical and chemical properties.

Word Chart: Students use definitions, sample sentences, and Turn and Talk prompts to gain a deeper understanding of the weekly focus words.

Note to Teachers: These units are intended for middle school students of any grade. Please use them where they align with your curriculum. Most of the Common Core State Standards included in the teacher directions come from the Literacy in History and Social Studies 6-8 (<http://www.corestandards.org/ELA-Literacy/RH/6-8/>) or Literacy in Writing 6-8 (<http://www.corestandards.org/ELA-Literacy/WHST/6-8/>). Others come from the Language and Speaking & Listening strands, which are specific to each grade level, but similar enough from grades 6 through 8 that we grouped them together.

Reader's Theater

The Consequence of Crossing State Lines

Setting: Mr. Chase is taking four high school seniors to volunteer at a local Habitat for Humanity site. While in the van on the ride there, the students start discussing crime.

Veronica: I can't understand why my uncle was just arrested in Arizona for possessing marijuana when he legally bought it in Colorado. It just seems so stupid.

Geoffrey: I don't get it. If he bought it legally, how can they arrest him?

Veronica: They **allege** he had "intent to distribute," whatever that means.

Geoffrey: It means they thought he took it there to sell it. I think marijuana is one of those things like gambling—states get to decide if it's legal or illegal.

Veronica: Yeah, but he bought it legally just a few hours before the police stopped him.

Zeinab: But he crossed state lines. What's legal in one state can be an **offense** in another. The state governments decide on their own laws, remember? Or did you sleep through all of social studies this year? There are **consequences** for having marijuana in Arizona, even if it's legal in Colorado.

Ray: Let's talk about the real issue here. Veronica's uncle was arrested in Arizona because of racial **profiling**. I read this article in the paper about how they can just pull over anyone of color and make them prove their citizenship. Everyone there is cray-cray.

Geoffrey: So you're saying that blond people can have small amounts of marijuana in Arizona?

Ray: Well, no. I'm just saying that the only reason they found out Veronica's uncle had marijuana is that they could stop him to check for citizenship. If a blond guy has some marijuana, they won't be pulling him over, so he won't get caught. They don't **profile** blonds as undocumented immigrants.

Veronica: You guys are missing my point. A crime means that you did something wrong, right? If something is wrong in one place, it should be wrong everywhere.

Zeinab: Not really. In Iran, alcohol is illegal, regardless of age, and people can go to jail for buying it. Here in the United States, it is illegal for me to drink because I'm a so-called **juvenile**. But when I visit my cousin in Paris, we get served wine with meals in restaurants. So what gets called a crime depends a whole lot on where you are!

Geoffrey: France has just made my list of places to go if I ever get to travel. That **appeals** to me. Seriously, though, shouldn't a person's intentions be considered when they are accused of committing a crime? What if someone from France comes here and gives wine to a 15-year-old? Maybe he wouldn't know it is an **offense** here.

Veronica: Yeah, you shouldn't have to go to jail if you don't know you did anything wrong.

Zeinab: Yeah, no. People end up in jail sometimes for doing things they think are right. Remember the Jim Crow laws?

Geoffrey: Jim Crow what?

Zeinab: Am I the only one who does any homework? Jim Crow laws were state laws that kept everyone "separate but equal." The law prevented blacks from things like using the same drinking fountains and attending the same schools as whites. It was all super racist and **offensive**. Learn your history.

Ray: Don't forget that some states never wanted to end slavery or Jim Crow segregation. The federal government had to step in. And to this day, many of those states still have problems treating everyone fairly.

Veronica: It seems like it would be easier if states didn't have their own laws. Take the death penalty, for example. States go back and forth on whether capital punishment is legal or not. If all laws were federal laws, what is considered a crime wouldn't be so **arbitrary**.

Zeinab: Maybe not **arbitrary**, but would uniform laws make sense? Laws are designed to keep us safe, and what is unsafe in one place may be perfectly fine in another. Each state has its own conditions and its own needs. The driving age in Montana—a large state with a small population and lots of farms—is 14 and a half. In Connecticut—a small state with lots of people—you have to be 16 and a half. When it comes to laws, one size doesn't fit all.

Geoffrey: I'm with you, Zeinab. Just like states have different needs, so do people. Isn't stealing food for a hungry child different from stealing someone's cell phone because they have a newer model? We should consider people's circumstances and intentions before we label them criminals, and before we impose harsh sentences that affect some people more than others.

Veronica: Keep in mind that our legal system was created by humans, and humans are flawed.

Ray: Speak for yourself. Some of us are less flawed than others.

Veronica: Yes, I forgot you're perfect, Ray.

Ray: Perfectly handsome, which is not a crime.

 **TURN AND TALK**

Is it fair that you can get in trouble for doing something at school that you are allowed to do at home, or vice versa? Explain.

Teacher Directions, Session 1

pages 2-4

In the Reader's Theater, four students discuss how an act can be considered legal in one setting and illegal in another. In a follow-up activity, students identify how each Reader's Theater character would respond to a text about debtor's prisons. Then, students use a chart to categorize and assign consequences to criminal offenses.

Reader's Theater

Procedure

1. Give students one minute to examine the cover of the booklet.
2. Read the unit question out loud and ask students:
 - a. What image(s) do you see?
 - b. Do the images convey feelings or provide information?
 - c. How do the images relate to or reinforce the unit question?
3. Introduce the focus words by reading them out loud and having students repeat the words.
4. Read the script. There are many ways to read the Reader's Theater, depending on the reading level of your students. Here are some options:
 - a. Teacher reads the text out loud as the class follows along.
 - b. Choose four student readers. Assign each student one character's part to read. Have the four students read the script out loud to the class.
 - c. Divide the class into groups of four. Assign each student in the group a different Reader's Theater character's part, then have the groups read through the script.
6. Go back to the Reader's Theater to reread some of the sentences that include focus words. Have student volunteers attempt to define the words based on context clues. See the word chart at the end of the unit for the definitions of all the focus words.
7. Tell students that they will learn the focus words more effectively if they attempt to use them while speaking and writing.
8. Have students discuss the Turn and Talk.

Common Core State Standards

CCSS.ELA-Literacy.L.6-8.6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.

CCSS.ELA-Literacy.RH.6-8.10 By the end of grade 8, read and comprehend history/social studies texts in the grades 6-8 text complexity band independently and proficiently.

Identifying Perspectives

The characters from the Reader's Theater read the following text for homework and then wrote a short response.

Debtors' prisons are prisons for people who can't afford to pay money they owe. Debtors' prisons are prohibited by law, but many cities still put people in jail for not showing up to court cases where they have to answer charges that they owe money for, like traffic tickets, court fees, medical bills, and credit cards. In some instances, people do not know that the cases are even taking place. So if you get a \$50 speeding ticket in New Mexico and can't pay it, you won't end up in jail. But if the same thing happens in Missouri, you could find yourself behind bars.

When the Justice Department investigated the Police Department of Ferguson, Missouri, they found that the primary purpose of the police department was making money, rather than protecting citizens. Furthermore, the Justice Department found that the Police Department of Ferguson specifically targeted and violated the constitutional rights of African Americans.

Geoffrey? Ray? Veronica? Zeinab?

Who do you think wrote each response below? Add his or her name when you think you know.

Name: _____
 If it's not legal to imprison people for owing money in one state, then it shouldn't be legal in any state. What's fair and right is not arbitrary.

Name: _____
 The intent of law enforcement is to keep people safe. Putting people in jail for being poor does not achieve this goal.

Name: _____
 This is yet another example of people being treated like second-class citizens because of racial profiling. Racism in the United States did not end with the Civil Rights Movement.

Name: _____
 Laws are important in protecting safety, and fines are the best way to get people to obey them. We can't just let people ignore the consequences of their actions.

Identifying Perspectives

Procedure

1. Explain that in this activity students must read the text, and then determine what the Reader's Theater characters would think about it.
2. Read the text and have students explain what debtor's prisons are and how American cities have begun using them.
3. Read the instructions for the matching activity. Ask students how they will approach the activity. Explain that students must find and underline quotes from the Reader's Theater that show the character expressing a similar point of view.
4. Allow students to work on the activity and then review the answers.

Answers:

Veronica	Geoffrey	Ray	Zeinab
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Common Core State Standards

- CCSS.ELA-Literacy.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.
- CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.
- CCSS.ELA-Literacy.RH.6-8.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

Offensive Offenses

In general, a *misdemeanor* is a crime that is seen as not as harmful or **offensive** to the public as a felony. These crimes, in most cases, carry a fine or sentence of imprisonment for 12 months or less. A few states have a longer term of imprisonment for misdemeanor offenders, but most stick to a year or less.

A *felony* is seen as a severe crime against others or the public. Felonies carry a minimum sentence of more than a year of imprisonment, and in some states even the death penalty is allowed, depending on the crime.

Directions: With a partner, indicate whether each **offense** in the chart should be a misdemeanor, felony or not a crime. Then, come up with an appropriate **consequence** for **juvenile** and adult offenders.

 Offense:	 What consequence should juvenile offenders suffer?	 What consequence should adult offenders suffer?
Assault (no weapon other than hands—you are attacking someone) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Assault (no weapon other than hands—you are defending yourself against someone who attacked you) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Theft (of food to feed your family) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Theft (of a new phone because you want one) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Breaking a neighbor's window (on purpose because you hate them) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Breaking a neighbor's window (accidentally with a baseball) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Killing someone (because you are angry at them) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		
Killing someone (in a fight after they attacked you) <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime		

Offensive Offenses

Procedure

1. Draw students' attention to the title of the activity: Offensive Offenses. Invite students to comment on the play on words. Ask students: *What does each word mean in this context?*
2. As a class, read the text about misdemeanors and felonies.
3. On the board, write the words misdemeanor and felony and have students define each term using information from the text.
4. Examine the chart by reading the column titles.
5. Give students a few minutes to fill in the chart, and then a few more minutes to discuss their answers with a partner. Circulate and provide support.
6. Choose one or two offenses that sparked interesting conversations and briefly discuss them as a class.

Teaching Tip:

Provide sentence frames to guide student discussions. This support can be particularly helpful for English language learners. Some might include:

- "I believe that this act is a _____ because _____."
- "Adults should suffer _____ for this offense, but juveniles should suffer _____."

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade level topics, texts, and issues, building on others' ideas and expressing their own clearly.

Degrees of Intent

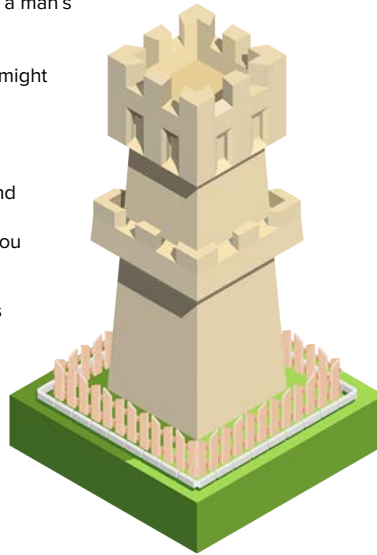
When One Person Kills Another

Most states have adopted the Castle Doctrine, derived from the old saying “a man’s home is his castle.” The Castle Doctrine holds that you can defend yourself against someone who breaks into your home without suffering legal **consequences**. Castle Doctrine laws were intended to protect people who might otherwise have been prosecuted for shooting home invaders.

Almost half the states also have Stand Your Ground laws, sometimes called “shoot first” laws, which state that your right to defend yourself with deadly force goes beyond your home and into the public sphere. Stand Your Ground laws also state that you do not have to try retreat from someone who is threatening or endangering your life when outside of your home—instead you have the right to defend yourself, using deadly force if necessary.

After Florida adopted a Stand Your Ground law in 2005, self-defense claims in homicide cases increased by 283%. Critics of the law **allege** that it is too open-ended, because the person who is killed cannot defend his or her actions. Others claim that all self-defense laws are inherently **arbitrary**.

Self-defense is a standard explanation accepted in court. However, in states that do not have Stand Your Ground laws, the person who is claiming self-defense has to work harder to prove that his or her **intent** was not to harm but to defend. Thus, what may send someone to prison in one state might not be considered a criminal **offense** in another.



TURN, TALK, AND WRITE

Many laws are created with the intention of protecting citizens’ rights and safety. Consider Castle Doctrine and Stand Your Ground laws. Talk with a partner about the ways in which these laws could be used to protect citizens’ rights and safety, and then jot down some notes on the lines below.

TURN, TALK, AND WRITE

Sometimes, efforts to decrease criminal behavior have unintended **consequences**, and may actually promote the activities they sought to reduce. For example, some drug prevention programs that seek to educate **juveniles** about drugs have been shown to increase drug use among **juveniles**. Talk with a partner about the possible unintended **consequences** of Castle Doctrine and Stand Your Ground laws, and then jot down some notes on the lines below.

Teacher Directions, Session 2

pages 5-8

Students consider the intended and unintended consequences of Stand Your Ground laws and then assign degrees of intent to homicidal acts. Students read about and discuss the homicide of 17-year-old Trayvon Martin by George Zimmerman, which was determined to be lawful under Florida’s Stand Your Ground law.

Degrees of Intent

Procedure

1. Ask students to consider the “He/She started it” defense often used by children. When is this defense acceptable? Discuss this point for a minute or two.
2. Read the text as a class, or have students read through it in small groups or individually.
3. Support reading comprehension by having students compare and contrast the Castle Doctrine and Stand Your Ground laws using a t-chart or Venn diagram. This can be done by students during or after reading.
4. Give students a few minutes to work on the Turn, Talk, and Write questions. Have student volunteers share their responses.

Extension:

Have students investigate whether your state has Stand Your Ground or Castle Doctrine laws. If so, when were these laws passed? Has there been any recent discussion about this topic? Have students write a paragraph summarizing their findings.

Common Core State Standards

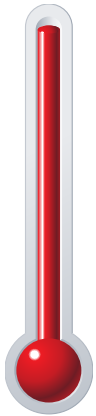
CCSS.ELA-Literacy.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

When is an act a crime?

The legal term *homicide* refers to any killing of a person by another person. When people hear the term *homicide*, they assume that it refers to murder, which is a crime. But not all homicides are crimes. Some homicides are justifiable homicides, such as a state trooper who has to shoot a robber who is firing a gun at him or a soldier who has to kill an enemy soldier in a war. *Unlawful* homicides are classified as felonies, and include murder and manslaughter.

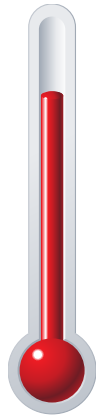
The rules for unlawful homicide can seem arbitrary; they vary somewhat from state to state. The law views some killers as more dangerous than others, and therefore deserving of harsher **consequences**. Thus, murder in the United States is viewed in degrees.



1. First degree murder is the intentional and unlawful killing of a person. The killer plans the killing ahead of time, or intentionally commits a crime in the course of which someone is killed.

Examples of first degree murder:

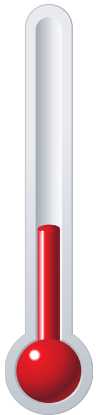
- Plotting to kill someone and purchasing a gun with which to do it.
- Robbing a bank and shooting a security guard while escaping.



2. Second degree murder is the intentional and unlawful killing of a person. But unlike first degree murder, the killer did not plan the killing ahead of time nor commit the homicide during another crime.

Example of second degree murder:

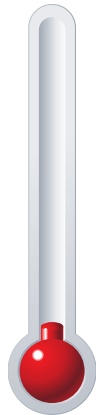
- Shooting in the air and killing someone who happens to be hit.
- In the course of a fistfight, hitting someone in the head so hard he or she dies.



3. Voluntary manslaughter (called third degree murder in some states) is often called a “heat of passion” crime. Voluntary manslaughter happens when a person is suddenly provoked and kills. Because the crime happens in a moment of weakness, the degree of murder is lessened.

Examples of voluntary manslaughter:

- Encountering the person who abused your child and shooting him or her in a moment of anger.
- During an argument, pushing one’s opponent off a porch with the result that he or she breaks his or her neck and dies.



4. Involuntary manslaughter is a killing that happens when a person is careless and did not have the **intent** to kill.

Examples of involuntary manslaughter:

- Swerving into an oncoming car and killing the driver because of texting while driving.
- Failing to fix the steps in a rental property after repeated requests, and someone falls through them and dies.

When is an act a crime?

Procedure

1. Ask students to consider the “I didn’t mean to” defense often used by children. When is this defense acceptable? Discuss this point for a minute or two.
2. Have students read the title of the activity: When is an act a crime? Ask students what they expect to learn about while reading the passage.
3. Read the opening text as a class. Ask students to think about the distinction between lawful and unlawful homicide.
4. Direct students to the thermometers. Have students comment on the temperature that each represents and how the temperatures relate to a degree of murder.
5. Allow students to read through the page in partners. Ask students to highlight important words or phrases that describe each degree of murder.
6. Have students complete the Turn and Talk activity on the next page.
7. Discuss the answers as a class, having students explain their thinking.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.7 Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

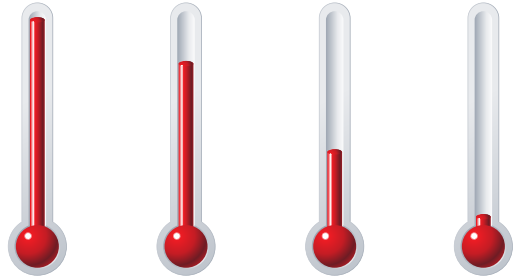
CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade level topics, texts, and issues, building on others’ ideas and expressing their own clearly.

Source: Berman, Sara J. "Homicide: Murder and Manslaughter." *Nolo Law for All*, n.d. Web. 1 Oct. 2013.

When is an act a crime?

TURN AND TALK

With a partner, assign each **offense** a degree of **intent**:



First degree murder Second degree murder Voluntary manslaughter Involuntary manslaughter

Homicide

A thief steals a car and as he is speeding away, he hits and kills a pedestrian.				
A wife pushes her husband over a cliff during an argument.				
A repeat drunk driving offender kills someone in car accident while under the influence of alcohol.				
Somebody assassinates a political leader who masterminded the deaths of hundreds of thousands of people.				
A juvenile takes his mother's car without permission and crashes the car into a pole, accidentally killing someone in the process.				

When is an act a crime?, continued

Possible answers:

1. First degree murder.
2. Voluntary manslaughter.
3. Involuntary manslaughter, although some states consider drunk-driving murders to be second degree.
4. First degree murder. The descriptions on the previous page say nothing about whether the victim deserves to be killed. If students express interest in the subtleties of this point, offer other similar examples of people taking the law into their own hands when the victim has committed despicable acts such as torture, child abuse, or murder.
5. Involuntary manslaughter.

Building Background Knowledge

The Story of Trayvon Martin

Trayvon Martin, 17, was a junior in high school when he was shot and killed on the night of February 26, 2012, in a gated community in Florida. The man who killed him, George Zimmerman, had earlier called police to report a suspicious person. Zimmerman saw Martin walking and started following him in his car.

Police dispatcher: Are you following him?

Zimmerman: Yeah.

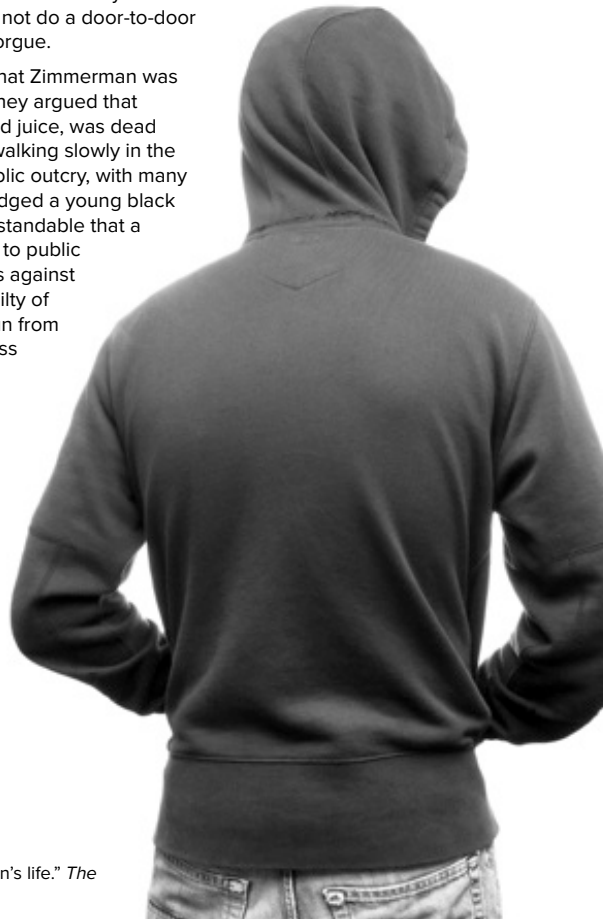
Police dispatcher: Okay, we don't need you to do that.

Zimmerman: Okay.

Despite saying "okay," Zimmerman did continue to follow Martin. Martin was actually talking on his cell phone, telling his friend that a man was following him. His friend, Witness 8 at the trial, stated that she overheard Martin say, "Why are you following me?" and "Get off me, get off me." Moments later, Trayvon Martin was dead, and neighbors in the surrounding houses started calling 911.

The police arrived two minutes after the gunshot. Zimmerman was detained and interviewed. He was released because of Florida's Stand Your Ground law, which gives anyone who feels a reasonable fear of death or grave bodily injury the right to shoot. Zimmerman **alleged** that he felt threatened in this manner so he shot and killed Martin. Martin was killed 70 yards from where he was staying with his father, but the police officers did not do a door-to-door search so his body was tagged "John Doe" and taken to the morgue.

In the following weeks, more and more people became upset that Zimmerman was not being prosecuted for having killed an unarmed teenager. They argued that Martin, who had gone to a convenience store to buy Skittles and juice, was dead because Zimmerman **profiled** him and arbitrarily decided that walking slowly in the rain with a hoodie up was suspicious behavior. There was a public outcry, with many claiming that Zimmerman, a white Hispanic, had prematurely judged a young black man as dangerous. Those same people consider it quite understandable that a **juvenile** pursued by a strange adult would defend himself. Due to public outcry, Florida decided to bring second-degree murder charges against Zimmerman. In July 2013, a jury of six found Zimmerman not guilty of the charges. He walked away a free man, able to reclaim his gun from the police. In subsequent interviews, jury members told the press that they felt conflicted about the outcome but that they had to abide by the provisions of the law.



TURN AND TALK

1. Do you think that the authors of the Stand Your Ground law intended for it to protect the shooter in cases such as George Zimmerman's confrontation with Trayvon Martin?
2. What do you think the outcome might have been had Martin grabbed the gun and shot Zimmerman?
3. Some people criticized Florida for bringing second-degree murder charges against Zimmerman. They said that it would have been easier to convict him on voluntary manslaughter charges and that he surely would have gone to prison. Do you agree? Explain.

Source: "Calls from Zimmerman, neighbor capture last minutes of Martin's life." *The Washington Post*. 20 May 2012. Web. Accessed 1 Oct. 2013.

Building Background Knowledge

Procedure

1. Have students explore the text by reading the title and looking at the picture. Ask students to think of questions they hope will be answered in the text.
2. Read the text as a class, or have students read through it in small groups. Tell students that they should keep the degrees of murder in mind as they read the passage.
3. After reading, ask a student volunteer to summarize the main events of the passage.
4. Ask students to infer the author's point of view about how the murder of Trayvon Martin was handled by police and whether Zimmerman was guilty of murder. Have them support their answers by citing details from the passage that reveal the author's point of view.
5. Have students discuss the Turn and Talk questions in partners, and initiate a brief class discussion about one or more of the questions.

Teaching Tip:

To support comprehension, identify and define difficult vocabulary words before reading (e.g., *grave*, *prosecute*, *premature*, and *subsequent*). Ask English language learners if these words have cognates in their native languages that can help them figure out the words' meanings. Provide simple and concise definitions for these words.

Extension:

For homework, have students find news articles and/or videos about the Trayvon Martin killing and the Zimmerman trial. Ask students to identify the main ideas and author's perspective. In class, have students assemble in groups to discuss the perspectives put forth by their articles.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.RH.6-8.6 Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade level topics, texts, and issues, building on others' ideas and expressing their own clearly.

Building Background Knowledge

When Love Was a Crime: Loving v. Virginia

In June 1958, Mildred and Richard Loving were married in Washington, D.C. After their ceremony, they returned to their home in Virginia to start their new life together. Virginia police **profiled** the couple, and four months later, in the middle of the night, the police raided their house and arrested them for the **alleged** crime of interracial marriage. At the time, it was a felony **offense** in Virginia to marry someone of another race. Interracial marriage was legal in many states by then, but the Lovings wanted to live in Virginia near their families. The Lovings pled guilty and received a suspended sentence on the condition that they leave the state. Judge Leon M. Bazile presided over their trial. In his indictment, the judge stated:

Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix.

As a **consequence** of the decision, the Lovings moved to Washington, D.C. They could not travel together to visit their families in Virginia because they would technically be breaking the law. In 1963, after years of headaches and heartaches, Mildred Loving wrote Attorney General Robert F. Kennedy about their situation, and he suggested they contact the American Civil Liberties Union (ACLU) for help.

In 1964, the ACLU accepted their case and filed paperwork to **appeal** the judgment, which led to the Lovings' case eventually being heard by the Supreme Court in 1967. At that time, the Supreme Court found unanimously that the Virginia law was unconstitutional. Mildred and Richard Loving could return and be legally married in Virginia. At the time of this judgment, 16 other states had laws banning interracial marriage.

In the final opinion of the court, Chief Justice Warren wrote:

The Fourteenth Amendment requires that the freedom of choice to marry not be restricted by invidious racial discriminations. Under our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual, and cannot be infringed by the State.

These convictions must be reversed. It is so ordered.

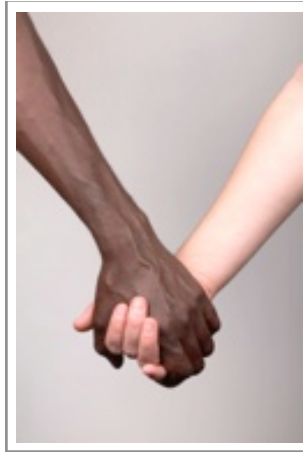
TURN, TALK, AND WRITE

Chief Justice Warren used the 14th Amendment to justify the court's ruling. Read an excerpt of the amendment below:

...No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law...

- **abridge the privileges or immunities:** limit rights or protections
- **deprive of life, liberty, or property:** take away life (execute), liberty (freedom), or property (claim ownership of your house, car, bank account, etc.)
- **without due process:** if there has not been a trial and a judgement justifying the action

Now, as a class, rewrite the excerpt from the 14th Amendment on the board in your own words. Then below, write how Virginia's ban on interracial marriage violated the 14th Amendment.



What is the ACLU?
 The ACLU is an organization founded in 1920 that is dedicated to protecting civil liberties such as first amendment rights and citizens' right to privacy. Thousands of ACLU lawyers argue cases each year.

Teacher Directions, Session 3

pages 9-11

Students read about two issues that have been defined by opposing laws at the state and federal levels: interracial marriage and marijuana use.

Building Background Knowledge

Procedure

1. Review the focus words. Challenge students to use each word in a sentence related to homicide or Stand Your Ground laws.
2. Ask students if they have ever broken a rule that they didn't agree with. Have a few students share their experiences.
3. Tell students that they will be reading about a couple whose marriage led to a Supreme Court case. Have students explore the text by reading the title and looking at the picture.
4. Call attention to the different text styles. Explain to students that the italicized text contains excerpts from official documents, such as court cases or the Constitution of the United States.
5. Read through the text as a class. Help students work through Judge Bazile's and Chief Justice Warren's statements by reading and paraphrasing line by line. Have students compare and contrast the two statements. For example, on what text does each judge base his opinion (e.g., Bible or Constitution)?
6. Read through the Turn, Talk, and Write and have students work to paraphrase the Fourteenth Amendment in partners, and then work to come up with a classroom version.
7. Give students time to respond to the Turn, Talk, and Write.

Extension:

Explore the last page of the unit showing the hierarchy of courts in the United States and how a case can arrive at the Supreme Court.

Have students fill in a cause and effect chart to support reading comprehension, such as (answers are written in italics):

Cause	Effect
The Lovings are married in Washington, D.C., and return to Virginia.	<i>Virginia police profile and arrest the Lovings.</i>
<i>Judge Bazile gave the Lovings a suspended sentence on the condition they leave the state.</i>	The Lovings must visit their family in Virginia separately.
The ACLU accepts the Lovings' case and appeals the earlier judgment.	<i>The Supreme Court hears the Lovings' case.</i>
<i>The Supreme Court declares the Virginia Law unconstitutional.</i>	All state laws banning interracial marriage are overturned.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

Building Background Knowledge

When Federal Laws Go Up in Smoke

The Supreme Court changed the course of U.S. history with its groundbreaking decision in *Loving v. Virginia* that interracial marriage was not a criminal **offense**. Although there was never a federal law banning interracial marriage, all remaining state laws that banned the act were effectively overturned. Now consider a case where a federal law had previously declared an act a crime, but individual states passed laws to declare that same act to be legal. Such is the case with the drug cannabis, also known as marijuana.



The Controlled Substances Act was signed into law by President Richard Nixon in 1970. The Act established five categories of drug, classified by their potential for harm and abuse. The Act classified marijuana as a Schedule I drug, a category reserved for drugs with no medical use and a very high potential for harm and addiction. As a federal law, the Controlled Substances Act was applicable in every state and allowed the federal government to enforce legal **consequences** associated with the use, possession, sale, transport, and manufacture of the drugs listed in the Act.

Many people **alleged** that marijuana's classification according to the Controlled Substances Act was **arbitrary**, and that marijuana was not as dangerous or harmful as its classification under the Act suggested. Some argued that marijuana did indeed have many medical applications and should be made available to people suffering from medical problems ranging from severe headaches to nausea associated with chemotherapy. Unsuccessful **appeals** were made to downgrade marijuana's status from a Schedule I drug.

In 1996, California became the first state to pass a law legalizing the use of marijuana for medical purposes. Doctors in the state began prescribing marijuana, and groups organized the cultivation and sale of the drug to Californians who had obtained prescriptions. Then, in 1998, the federal government sued the Oakland Cannabis Buyers' Cooperative, the largest distributor of medical marijuana in California. The case reached the Supreme

Court, where in 2001 it was decided that medical necessity could not be used as a legal defense for growing, selling, or using marijuana, since the Controlled Substances Act had already declared that marijuana had no legitimate medical uses. The Oakland Cannabis Buyers' Cooperative was forced to stop cultivating and distributing marijuana, though many smaller enterprises were not targeted by federal agents and thus continued business.

In 2005, the implications of California's medical marijuana law led to another Supreme Court case. Again, the court ruled in the federal government's favor. Here is the beginning of Justice Sandra Day O'Connor's dissent, where she quotes a dissent from Justice Brandeis in a 1932 case:

One of federalism's chief virtues, of course, is that it promotes innovation by allowing for the possibility that "a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country."

Federalism: a system of government that has a balance of power between federal (central) and state governments



TURN AND TALK

Is the basis for federal law-making undermined by the fact that states can override federal laws with their own laws?

Building Background Knowledge, continued

Procedure

1. Ask for a show of hands of students who feel that states should be able to create laws that violate federal laws. Have a few students explain their positions.
2. Tell students that they will read about another topic that has been the subject of clashing state and federal laws: marijuana.
3. Have students read the title and explore the text features. Ask students to come up with two questions that they hope will be answered by the text.
4. Begin reading the text as a class. Tell students to keep track of key events by underlining sentences that include a date.
5. Spend time discussing Justice O'Connor's dissent. Challenge a few students to put the quote into their own words. Then lead a brief class discussion about the principle of federalism and the Turn and Talk at the bottom.
6. Continue reading the text on page 11 and then give students time to analyze the map.
7. Raise the final Turn and Talk to the class and invite students to share their responses.
8. Ask students how the text presented information about marijuana. Help students to see that the information was presented in chronological order, which is evident from the progression of dates.
9. Close by asking for another show of hands of students who feel that states should be able to create laws that violate federal laws. Have a few students explain their positions.

Teaching Tips:

Provide sentence stems for the Turn and Talks and class discussions. For example:

- *In my experience...*
- *I hear what you're saying but...*
- *Could you explain what you mean by...*
- *I would guess that...*

Encourage, but do not require, students to use the sentence starters to respond to their classmates' contributions. In class discussions, have students take a few seconds to think about what the last student said before responding.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.5 Describe how a text presents information (e.g., sequentially, comparatively, causally).

CCSS.ELA-Literacy.RH.6-8.7 Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital text.

CCSS.ELA-Literacy.RH.6-8.9 Analyze the relationship between a primary and secondary source on the same topic.

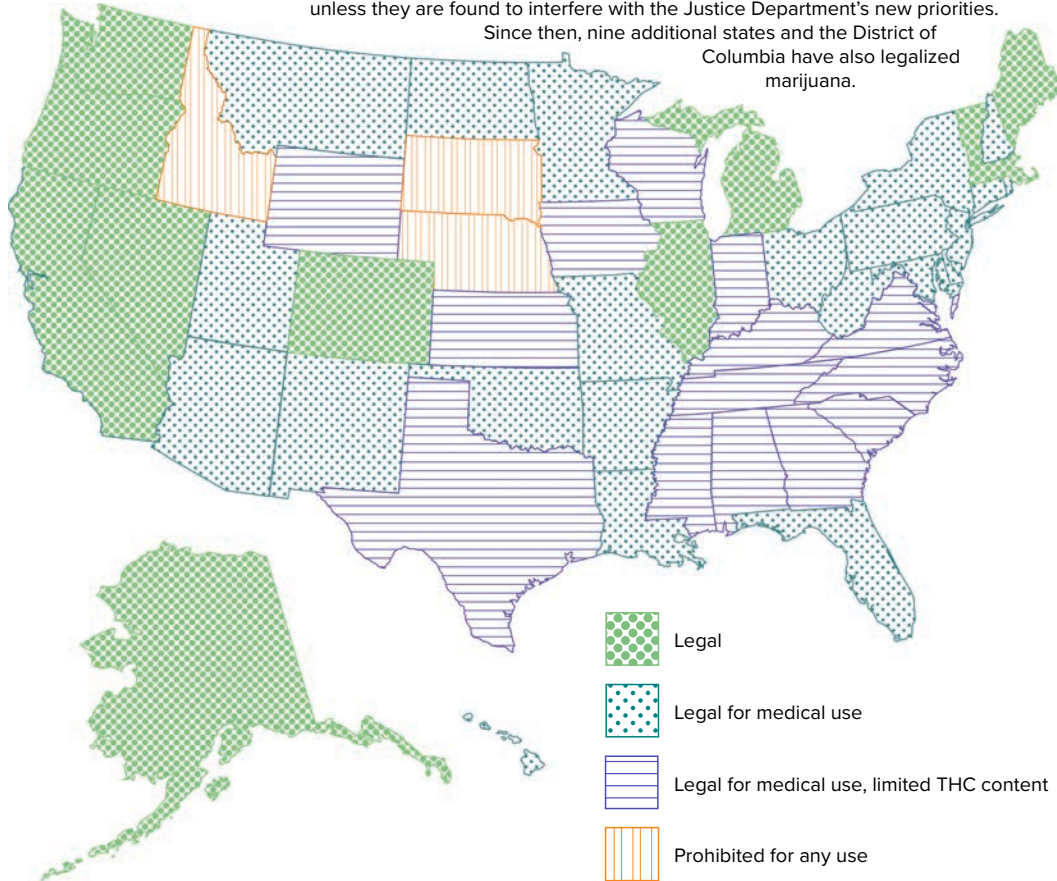
Building Background Knowledge

When Federal Laws Go Up in Smoke

As of 2020, 33 states and the District of Columbia have legalized marijuana for medical purposes, and other states have gone a step further. On November 6, 2012, voters in Colorado and Washington chose to legalize marijuana for recreational use. Although marijuana will still be unavailable to **juveniles** (like alcohol), adult residents in these states can now legally cultivate, purchase, and use marijuana within those states.

Although marijuana remains a Schedule I drug under the Controlled Substances Act, the federal government has modified its approach to law enforcement in states where the drug has been legalized. In 2013, the Justice Department declared new priorities in marijuana enforcement, including the sale to **juveniles**, gang activity, and drugged driving. Former Attorney General Eric Holder told the governors of Colorado and Washington that the Justice Department did not **intend to profile** marijuana users or block the laws in their states unless they are found to interfere with the Justice Department's new priorities.

Since then, nine additional states and the District of Columbia have also legalized marijuana.



TURN AND TALK

How do former Attorney General Eric Holder's comments to the governors of Colorado and Washington support the vision of Justice O'Connor and Justice Brandeis before her?

Source: Gonzales v. Raich, Dissent. 545 U.S. 1. Supreme Court of the United States. 2005. *Legal Information Institute*. Web. 1 Oct. 2013.

Note: Cannabis remains a Schedule 1 substance under federal law as of 2020, a status that is still being challenged in the courts. Congress has thus far rejected bills that would change the Schedule 1 status legislatively.

Attribution for map: Loka_Profil

Debate

Should everyone receive the same sentence for the same crime?

In 2011, Lindsay Lohan pled no contest to a reduced misdemeanor theft charge of a necklace worth \$2,500. She was sentenced to 120 days in prison. In another case—the Bling Ring case—several young adults living in a wealthy area of Southern California repeatedly broke into celebrity homes and stole millions of dollars' worth of property. The teenage ringleader, who received the harshest punishment, was sentenced to four years in prison. Some people argued that the **consequences** for these **offenses** were lenient because the people who committed the crimes were from affluent families.

HYPOTHETICAL SCENARIOS

In the following scenarios, each defendant has been found guilty of theft and the prosecutors have asked for at least 120 days in jail, just like Lindsay Lohan. At the sentencing hearing, each side must argue whether the sentence is just or unjust. Your teacher will tell you which side to argue.

Undocumented

An undocumented immigrant gardener broke into the tool shed of his employer and stole \$2,500 worth of tools and equipment. He did this because his employer refused to pay him his wages for the last two months, and he dared not go to the police because he was undocumented.

Desperate

Over the course of a week, a desperate single father shoplifted multiple electronic devices worth approximately \$2,500 from a store to sell on the internet. His daughter had broken her arm climbing a tree, and the emergency room bills totaled in the thousands. Frantic to care for her, the man resorted to stealing so that he could pay their rent.

Robin Hood

A nurse, tired of witnessing homeless people with various treatable infections being turned away from her clinic, stole \$2,500 worth of prescription antibiotics to distribute later at a shelter. She felt that everyone had a right to health care. Her employers felt differently.

Reasons the sentence should be at least 120 days	Reasons the sentence should be reduced

Teacher Directions, Session 4

page 12

Students read about both true and hypothetical robberies and then debate whether intent should be considered in sentencing the defendants.

Debate

Procedure

1. Read the title of the debate. Briefly discuss the meaning of the question.
2. Read the text and each of the scenarios as a class.
3. Assign six students to each case—three students to represent the state and three to represent the defense. Have the rest of the students represent the jury. The jury will monitor arguments, track the use of unit focus words, and determine a winner.
4. Give students several minutes to gather evidence in support of their position using unit texts and personal experience. Remind students to consider the unit focus words while planning their arguments. Circulate and provide support as needed.
5. Run the debate as a whole class exercise, or have students debate in small groups.
6. Explain that the debate will proceed as follows:

Round 1

- The defense presents the reasons that the sentence should be reduced while the state listens and takes notes.
- The state presents the reasons that the sentence should be at least 120 days while the defense listens and takes notes.
- Each side has time to plan their counterarguments.

Round 2

- The state presents counterarguments as the defense takes notes.
- The defense presents counterarguments as the state listens and takes notes.
- Each side has time to develop a rebuttal.

Round 3

- Each side presents their rebuttals
- The jury decides which side wins.

7. Conclude by having students share feedback about the debate.

Common Core State Standards

CCSS.ELA-Literacy.SL.8.4 Present claims and findings, emphasizing salient points in a focused, coherent manner with relevant evidence, sound valid reasoning, and well-chosen details; use appropriate eye contact, adequate volume, and clear pronunciation.

CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade level topics, texts, and issues, building on others' ideas and expressing their own clearly.

Writing

Is it possible for justice to be blind?

President Obama was the first African American to be elected President of the United States (2008–2016). In 2013, after the Trayvon Martin verdict, he commented on the case. Below is an excerpt of his speech:

In the African American community at least, there's a lot of pain around what happened here, I think it's important to recognize that the African American community is looking at this issue through a set of experiences and a—and a history that—that doesn't go away . . . And it's inescapable for people to bring those experiences to bear.

The African American community is also knowledgeable that there is a history of racial disparities in the application of our criminal laws—everything from the death penalty to enforcement of our drug laws. And that ends up having an impact in terms of how people interpret the case . . . And that all contributes I think to a sense that if a white male teen was involved in the same kind of scenario, that, from top to bottom, both the outcome and the aftermath might have been different.

. . . But, you know, when I talk to Malia and Sasha and I listen to their friends and I see them interact, they're better than we are. They're better than we were on these issues.

. . . But we should also have confidence that kids these days, I think, have more sense than we did back then, and certainly more than our parents did or our grandparents did, and that along this long and difficult journey, you know, we're becoming a more perfect union—not a perfect union, but a more perfect union.



Source: "Transcript: President Obama addresses race, profiling and Florida law." CNN.com. Cable News Network. 19 Jul. 2013. Web. 1 Oct. 2013.

Below, respond to President Obama's speech and give him advice on what you feel could be done to make a more perfect union (a better country). Be sure you comment on his claim that "there is a history of racial disparities in the application of our criminal laws," making clear whether you think this is important to consider or not.

Horizontal lines for student writing response.

Teacher Directions, Session 5

pages 13-14

Students integrate unit themes and information to write a response to President Obama's post-Zimmerman trial statement.

Writing

Procedure

- 1. Tell students that they will be responding to a statement that President Obama made after the verdict in the Trayvon Martin case.
2. Have students read through the excerpt independently and ask them to determine President Obama's main point.
3. Have a brief class discussion about President Obama's message, and make sure to clarify that the "set of experiences" and "history" mentioned in the first paragraph include slavery and Jim Crow laws.
4. Ask students to share ideas about how they will modify the tone of their writing to make it appropriate for the audience.
5. Give students a few minutes to work with a partner to think out loud about the assignment and develop their opinions.
6. Ask students to look through the unit and mark information that can help build their response.
7. Remind students to use the focus words in their writing, and allow them time to write.
8. If time permits, have student volunteers share their writing with the class, in partners, or in small groups.

Teaching Tips:

- Ask students to underline the main pieces of advice that they included in their response.
• Have struggling writers focus on offering only one piece of advice to the president and explaining why it would make the union more perfect.

Common Core State Standards

- CCSS.ELA-Literacy.WHST.6-8.1 Write arguments focused on discipline-specific content.
CCSS.ELA-Literacy.WHST.6-8.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
CCSS.ELA-Literacy.WHST.6-8.9 Draw evidence from informational texts to support analysis reflection, and research.
CCSS.ELA-Literacy.WHST.6-8.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

In 1924, author Herman Melville published the novella *Billy Budd*, a story about a good-natured **juvenile** with a rosy outlook on life (and an uncommonly strong stutter). He joined the navy, ending up on a ship called HMS Indomitable. The Indomitable's first mate, Claggart, took a dislike to him and **alleged** untruthfully that Billy was planning to overthrow the ship's Captain Vere. Ultimately, in a confrontation between the two in Captain Vere's quarters, Billy became so upset at Claggart's false accusations, and at his own inability to explain his innocence because of his stutter, that he snapped. He hit Claggart, unintentionally killing him. The witnesses all testified that Billy had killed Claggart, though without **intent**. Captain Vere liked and admired Billy, but he felt obliged to fulfill his role as judge and executioner.

Often, classic stories are interpreted into other forms of art like films, musicals, ballets, and operas. In an opera based on this particular story, Captain Vere reflects on what a good person Billy had been, and regrets his own role in sentencing him to death for his unintentional **offense**. Thinking back on the incident later in life, he sings the following:

*... I who am king of this fragment of earth,
Of this floating monarchy, have exacted death.
But I have seen the divine judgment of heaven,
I've seen iniquity overthrown. ...
Before what tribunal do I stand if I destroy goodness?*

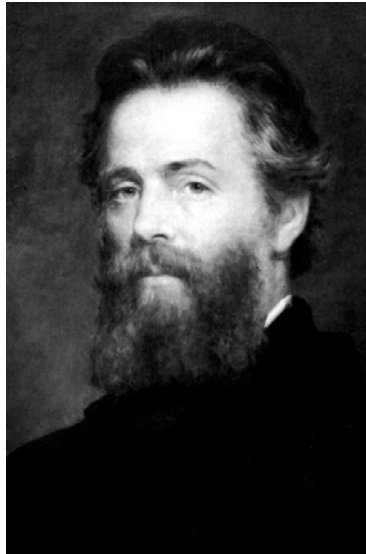
TURN AND TALK

What does he mean by "this floating monarchy"? Where in this text do you find evidence that Captain Vere was conflicted about his decision to have Billy executed?

Herman Melville may have written the novella *Billy Budd*, on which the opera was based, thinking about his father-in-law, Chief Justice Lemuel Shaw, who served on the Massachusetts Supreme Judicial Court. Shaw returned an escaped slave to his owner, even though he himself was against slavery. Melville's father-in-law, like Captain Vere, had to resolve the conflict between his obligation to the law and to justice. Is one required to uphold an unjust law? The argument in support of their course of action is that unjust laws should be changed, not ignored. If judges fail to enforce laws they happen not to like, then the entire system of laws is undermined. On the other hand, individuals like Billy Budd and the escaped slave become the victims when the law is held above justice.

TURN AND TALK

When is defending the system of laws worth committing an injustice? What bad **consequences** might arise when judges or other officers of the court violate laws?



Etching of portrait of Herman Melville by Joseph O. Eaton. Library of Congress.

Mini-Glossary

iniquity – unfairness

tribunal – court

Teacher Directions, Supplementary Activities

pages 15-19

ELA Activity

Students explore the themes of law and justice by analyzing an aria from the opera based on Herman Melville's *Billy Budd*.

Procedure

1. Write the words *law* and *justice* on the board. Have students Turn and Talk about the meaning of each of the terms.
2. Create a class concept/bubble map with synonyms and related words for each term. These maps will serve as anchors throughout the lesson.
3. Tell students that the activity will focus on the balance between the law and justice by examining an aria from an opera based on a novel written by Herman Melville, an American author who lived and worked in the 19th century.
4. Ask students to think about a scenario when the law and justice might come into conflict.
5. Read through the text as a class. Stop after the first paragraph and ask student volunteers to summarize the events of the novel.
6. Have a student volunteer read the aria. As a class, use the glossary to paraphrase the text. Then, give students time to discuss the first Turn and Talk.
7. Continue reading the text. As a class, compare and contrast Captain Vere and Chief Justice Shaw's actions.
8. Give students a couple of minutes to discuss the final Turn and Talk and then segue into a brief class discussion about the same question. Encourage students to use textual evidence to support their claims.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade level topics, texts, and issues, building on others' ideas and expressing their own clearly.

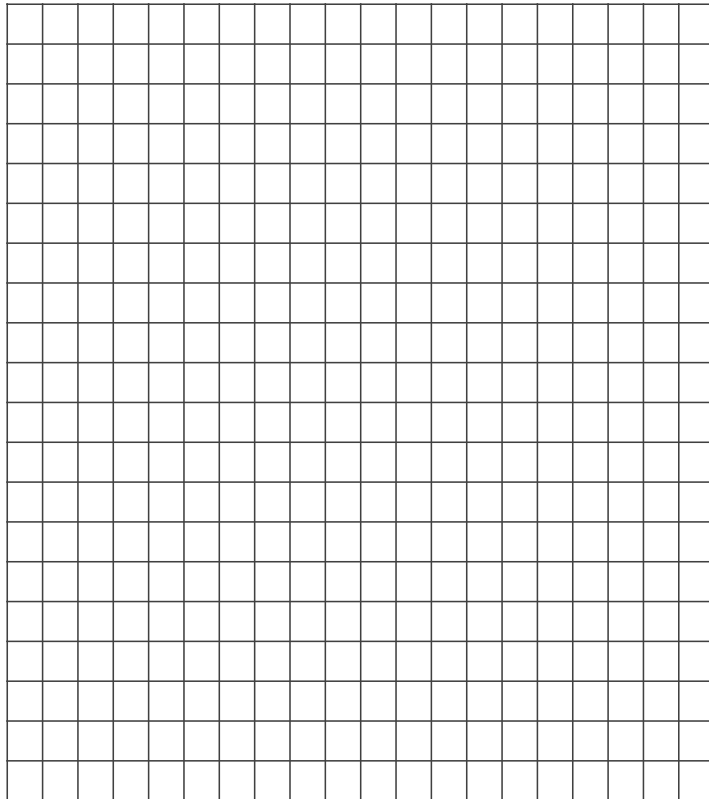
Education and Crime

Many people **allege** that there is an association between the investment a state makes in education and its violent crime rate. One way to determine the association between two variables, such as education and crime rate, is to construct a scatter plot. Data involving two different variables is called *bivariate data*. The table to the right contains quantitative information of the per pupil expenditure (money spent on each student) and violent crime rate of 17 U.S. states. Use the bivariate data from the table to construct a scatter plot.

State	X-axis Per Pupil Expenditure	Y-axis Violent Crime (incidents per 100,000 people)
California	\$8,500	396
Florida	\$9,000	460
Hawaii	\$12,500	245
Maine	\$14,500	122
Maryland	\$12,500	468
Massachusetts	\$13,000	404
Nevada	\$8,000	591
New Hampshire	\$14,500	200
New Mexico	\$9,500	597
North Dakota	\$13,500	256
Ohio	\$12,000	276
Oklahoma	\$8,500	428
Rhode Island	\$14,000	245
Tennessee	\$9,000	580
Vermont	\$19,000	115
West Virginia	\$13,000	290
Wyoming	\$18,000	198

Steps for building a scatter plot:

1. Label the axes.
2. Determine an appropriate interval for each axis.
3. Plot the points.
4. Give the plot a title.
5. Draw a line of best fit.



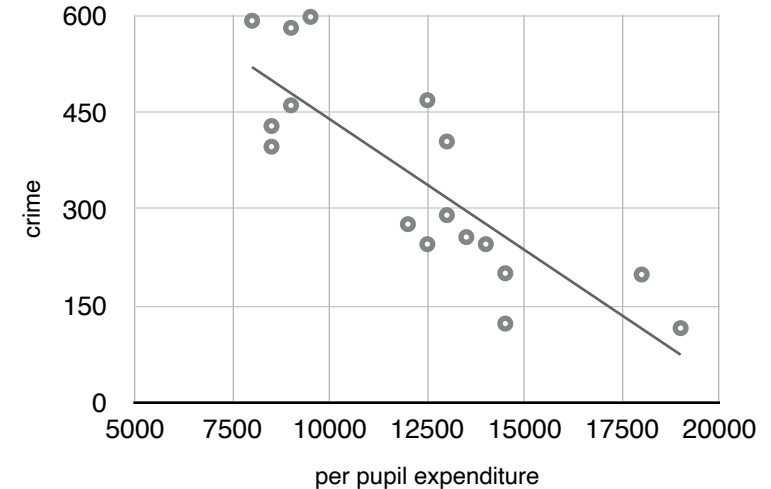
Math Activity

Students construct a scatterplot comparing per pupil spending with violent crime rates.

Procedure

1. Read the opening text and answer any questions that come up.
2. Read the “Steps for building a scatter plot” sidebar. If this topic is new to students, guide the class through setting up the axes and plot the first data point together as a class.
3. Have students plot the rest of the data points on their own and add a line of best fit. Circulate and provide support.
4. Conclude by raising the discussion questions to the class.

Answers:



Common Core State Standards

CCSS.Math.Content.8.SPA.1 Construct and interpret scatter plots for bivariate measurement data to investigate patterns of association between two quantities. Describe patterns such as clustering, outliers, positive or negative association, linear association, and nonlinear association.

CCSS.Math.Content.8.SPA.2 Know that straight lines are widely used to model relationships between two quantitative variables. For scatter plots that suggest a linear association, informally fit a straight line, and informally assess the model fit by judging the closeness of the data points to the line.

Education and Crime

Describe the association (if any) between a state's per pupil expenditure and its violent crime rate by completing this sentence:

States that spend more money per student tend to _____

 DISCUSSION QUESTIONS

What are some factors that could explain the association that you identified in the scatter plot?

What kinds of crime are not accounted for in the data? How could the inclusion of these types of crimes affect the association that you identified?

How could you use this data at a state budget meeting to **appeal** to the governor for increased education funding?

Why might someone discredit this report as **arbitrary**?

Sources:

1. "Per-Pupil Educational Expenditures Adjusted for Regional Cost Differences." *Kids Count Data Center*. Jan 2015. Web. 20 May. 2015.
2. "Crime in the United States by Region, Geographic Division, and State, 2012-2013." *Federal Bureau of Investigation*. 2013. Web. 20 May. 2015.

Math Activity, continued

Answer:

States that spend more money per student tend to have less violent crime.

Discussion question sample answers:

- A poor quality education can lead to fewer job prospects and therefore lead to crime.
- White collar crimes are not considered violent although they can have devastating consequences for society. They are usually committed by people of high social status and with high levels of education.
- Explain that in the long run, an investment in education will result in decreased violent crime and the associated costs.
- Correlation is not causation, so critics might point out that this report does not prove that a lower investment in education actually causes higher crime.

One Element of Violent Crime

In the January/February 2013 issue of *Mother Jones*, Kevin Drum presents an interesting and unusual theory about the cause of violent crime. The article's title gives a clue: "Lead: America's Real Criminal Element." Drum writes that in the 1960s and 1970s crime rates had risen dramatically, and then just as dramatically dropped in the 1990s. He discovered many theories for the reasons behind this rise and fall—economics, drug use, the increase in prisons—but none that completely answered the question of "Why?" Eventually, Drum came across Rick Nevin and Jessica Wolpaw Reyes, whose research is **profiled** in the article.

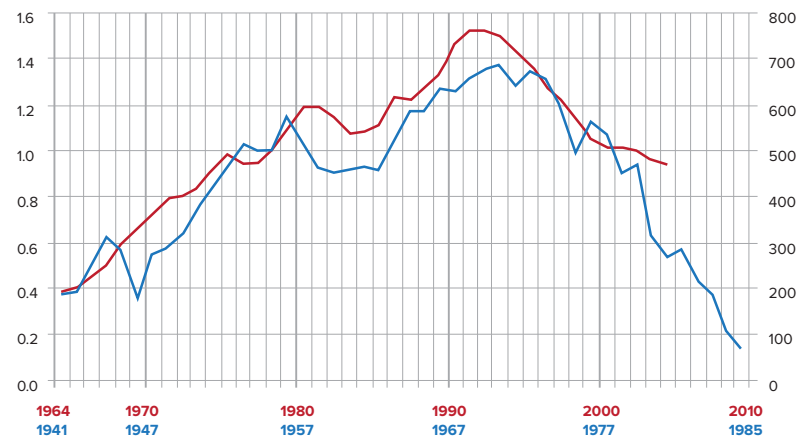


Economist Rick Nevin took interest in this issue when he was working with the U.S. Department of Housing and Urban Development. When comparing leaded gasoline use to violent crime rates, he created the graph below. Study the graph and write two observations about the relationship between gasoline lead and violent crime.

- _____
- _____

Lead exposure and violent crime, USA

Gasoline lead tons per 3,000 population — Violent crimes per 100,000 population



TURN AND TALK

What additional information would you need to confirm Nevin's hypothesis that the rise and fall of violent crime could be attributed to lead?

Source: Rick Nevin and Jessica Wolpaw Reyes

If you decided that you needed additional studies linking crime and lead, then you are not alone. Nevin wanted to make sure that his findings could not be labeled **arbitrary**, so he continued exploring the issue and found the same connection between lead levels and violent crime levels in more than eight countries. When the data was available, it always supported the lead-crime hypothesis.

Another researcher, Jessica Wolpaw Reyes, found additional evidence in support of the hypothesis. Reyes collected lead and crime data from several American cities. She found that when the use of leaded gas declined slowly, so did violent crime. Similarly, when the use of leaded gas declined sharply, so did the violent crime rate.

Lead (with the chemical symbol Pb) is the 82nd element in the periodic table of elements. It is poisonous when eaten, inhaled, or absorbed through the skin. Children and adults are both susceptible to lead's toxic effects, which can be fatal at high levels. However, exposure to lead carries additional **consequences** for **juveniles**, whose brains are undergoing important developmental changes. In fact, recent studies have shown that repeated exposure to lead in young children results in lower intelligence, increased aggression, and decreased ability to control impulses.

TURN AND TALK

Consider the three additional **consequences** of lead exposure in young children. Discuss how these factors could increase the likelihood that someone turns to violent crime.

Science Activity

Students read and discuss research connecting lead exposure to crime rates. In a follow-up activity, students differentiate between physical and chemical properties.

Procedure

- Ask students to think of factors that would make a person likely to commit a crime. Ask for a few responses.
- Have students read the title of the passage and explore the nonfiction text features. Ask students to predict what they will learn by reading the text.
- Tell students that they will read about research that links exposure to a certain metal to a higher likelihood of committing a crime.
- Read through the text as a class and spend time analyzing the graph, which is unique in its use of parallel intervals to show the relationship between the two variables—crime and lead. Point out that the x-axis dates are about 20 years later for crime than they are for lead.
- Circulate and provide guidance as students discuss the Turn and Talk prompts. Pose one or more of the prompts to initiate a class discussion.
- Continue reading the text on the next page as a class.
- Introduce the science connection. Discuss the difference between chemical and physical properties. Make sure to clarify that changes to the state of a substance (solid/liquid/gas) are physical, not chemical—the composition of the substance doesn't change, just the speed at which the molecules are moving.
- Have students complete the science connection activity and then review the answers as a class.

Answers:

- Has a grayish color – PHYSICAL
- Reacts with acid to produce a white solid and gas – CHEMICAL
- Changes from a solid to a liquid at 327°C – PHYSICAL
- Bonds to other molecules to create lead ethylene – CHEMICAL
- Is ductile (can be shaped into a thin wire) – PHYSICAL

Common Core State Standards

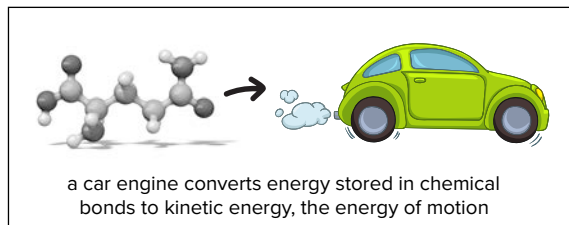
- CCSS.ELA-Literacy.RST.6-8.1 Cite specific textual evidence to support analysis of science and technical texts.
- CCSS.ELA-Literacy.RST.6-8.4 Determine the meaning of symbols, key terms, and other domain-specific words and phrases as they are used in a specific scientific or technical context relevant to grades 6–8 texts and topics.
- CCSS.ELA-Literacy.RST.6-8.7 Integrate quantitative or technical information expressed in words in a text with a version of that information expressed visually (e.g., in a flowchart, diagram, model, graph, or table).

One Element of Violent Crime

What accounts for the increase and decrease in lead exposure? Lead has a variety of valuable and safe uses. For example, lead is used on sailboats, in car batteries, and in the vests and blankets that shield against x-ray radiation. But the main source of harmful lead exposure in the 20th century was also a symbol of American innovation and freedom—the automobile.

When the Ford Motor Company introduced the Model T in 1914, cars became more affordable and the number of Americans who owned them grew. The gasoline that fuels cars is, as many know, made from fossil fuels extracted from the earth. Fossil fuels store energy inside chemical bonds, which the car's engine converts into kinetic energy that powers the car. How does the engine manage this conversion? A car engine mixes a small amount of gasoline with air, compresses (squeezes together) the air-gasoline mixture, and then ignites (sets fire to) the compressed mixture with a spark. The ignited mixture quickly expands, which sets forth a series of movements that eventually turn the car's wheels. Car engines repeat this compression-ignition process hundreds of times per minute.

Unfortunately, low quality gasoline can auto-ignite, or catch fire by itself, when it is compressed. Auto-ignition results in a premature release of energy in the form of sound and heat, effectively wasting energy that could be used to move the car. Additionally, auto-ignition damages the car engine. High octane gasoline can be compressed without auto-igniting, but the higher the octane, the more expensive the gas (you can check this at your local gas station).



In 1921, scientists discovered that the addition of a lead molecule called tetraethyl lead, $\text{Pb}(\text{C}_2\text{H}_5)_4$, allowed the fuel to withstand higher compression without auto-igniting. The **appeal** of lead was that it was low cost, enabled cars to travel farther on less fuel (i.e., more miles per gallon), and allowed engines to last longer. At that point, most gasoline became leaded, even though some scientists warned that lead could be poisonous.

As leaded car exhaust began spewing out of cars all over the United States, lead levels in the atmosphere rose dramatically, resulting in people breathing in the lead in the air. Lead is especially toxic when inhaled. Over time, a growing body of evidence raised awareness about the toxic effects of lead, and leaded gasoline production began to diminish in the 1970s and was banned altogether in 1995.

 **TURN AND TALK**

Imagine you were in charge of your state's anti-crime budget. How would you **appeal** to the governor to secure increased funding for lead paint removal and lead soil treatment?

Science Connection:

A **physical property** of a substance can be observed without changing it.

A **chemical property** of a substance can be observed by changing it.

The following are properties of lead. Write C next to the chemical properties and P next to the physical properties.

- Has a grayish color _____
- Reacts with acid to produce a white solid and gas _____
- Changes from a solid to a liquid at 327°C _____
- Bonds to other molecules to create lead ethylene _____
- Is ductile (can be shaped into a thin wire) _____

Sources:

Brain, Marshall. "How Car Engines Work." 5 Apr. 2000. HowStuffWorks.com. 1 June 2015.

Drum, Kevin. "Lead: America's Real Criminal Element." *Mother Jones*. Jan 2013. Web. 1 June 2015.

Examining the Focus Words Closely

SoGen Unit 8.4

FOCUS WORD OR *RELATED FORM	DEFINITION	SAMPLE SENTENCE	TURN AND TALK
arbitrary (adjective)	based only on personal opinion or chance	Bryan hoped that his roommate assignment for the class trip would be decided by something less arbitrary than a coin toss.	<i>How would you respond to a teacher if you felt that a grade you received was arbitrary?</i>
allege (verb)	to declare that someone has done something, typically without proof; to state something before proving it	Simone alleged that the games played during break were too rough.	<i>Why do you think newscasters have to say "allege" when they report about a case that is still open? For example, "The accusers allege that the suspect stole money."</i>
intent (noun)	purpose or aim	Although Alina's intent was to surprise her brother, his friends told him about the party two days early.	<i>How could you evaluate the intent of a person who stole a bike?</i>
profile (verb, noun)	(v) to use a physical trait to decide something about someone, like whether to suspect them of a crime (n) the shape of a something from the side; a short text describing someone or something	The police profiled all young men between 15 and 17 years old as potential vandals. She drew a profile of her cat's face for art class.	<i>Why do you think that men are profiled by law enforcement agents and security personnel more frequently than women? If you could write a profile about an important person in your life, who would you choose?</i>
juvenile (adjective, noun)	(adj) young; immature (n) a young person	Only juvenile members of the community were allowed to participate in the soccer tournament.	<i>What privileges are unavailable to you as a juvenile?</i>
offense (noun)	an act that breaks a rule or law	In the Burns household, lying was considered a major offense .	<i>Which is a worse offense: breaking your mother's phone or trying to conceal that you broke it?</i>
* offensive (adjective)	disrespectful; causing someone to feel hurt or upset	Many people think Native American Halloween costumes are offensive because they promote cultural stereotypes.	<i>Have you ever said something offensive that you originally thought was okay? What was it and how did people react?</i>
appeal (verb, noun)	(v) to ask a court to review a lower court's decision; to attract or interest (n) a request to reverse a decision; what makes people like something	Tamika asked her lawyer to appeal the court's decision to fine her \$1,000. Freddy's parents ignored his appeals to shorten his punishment.	<i>What appeals to you more: spending time with a few people or spending time in large groups? Why? Do you see the appeal in skydiving? Why or why not?</i>
consequence (noun)	the result of an action	At Manu's boarding school, the consequence for being late to class is Sunday detention.	<i>What is the appropriate consequence for cheating on a test? Explain.</i>

Teacher Directions, Focus Words

page 20

Examining the Focus Words Closely:

Students use definitions, sample sentences, and Turn and Talk prompts to gain a deeper understanding of the weekly focus words.

Procedure

1. Read each focus word out loud and have students repeat after you.
2. Read the definition of the first word and its sample sentence out loud to the class, and then raise the Turn and Talk question. Discuss the question as a class, making sure that students use the focus word in their responses.
3. Have students work through the chart by reading the definitions and sample sentences and then answering the Turn and Talk prompts.
4. Conclude by having students share their responses to some of the Turn and Talk questions.

Teaching Tips:

- Create a classroom word wall with the Word Generation focus words. Have students do different activities with the words. For example, they can categorize by part of speech, research etymology, find synonym or antonym pairs, write stories, or have a classroom spelling bee.
- Write the focus words on the board and use tally marks to keep track of how often students use them or notice them in their reading. When the class reaches a certain amount of tally marks in one week (for example, 50 tally marks) reward students with free time or another prize of your choice.

Common Core State Standards

CCSS.ELA-Literacy.SL.6-8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on topics, texts, and issues, building on others' ideas and expressing their own clearly.

CCSS.ELA-Literacy.L.6-8.4. Determine or clarify the meaning of unknown and multiple-meaning words and phrases.

CCSS.ELA-Literacy.L.6-8.6. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.



SUPREME COURT OF THE UNITED STATES
 Can overturn laws that are found to be unconstitutional
 Every court in the US must follow the Supreme Court's decisions
 Nine justices serve for life
 Rulings are determined by majority rule

The highest court in the land

losing side appeals

losing side appeals

State Supreme Court
 Can affirm or reverse a lower court's decision

Highest court in the state

losing side appeals

U.S. Court of Appeals **State Appeals Court**

APPEALS COURTS
 Can decide a trial was:
 fair and uphold the trial court's decision
 unfair and reverse the trial court's decision

Uses a panel of justices to decide whether a trial was fair

losing side appeals

losing side appeals

U.S. District Court **State Trial Court**

TRIAL COURTS
 Use juries, witnesses, and evidence to determine the facts about the case

Decides whether a person is guilty or innocent

FEDERAL COURT SYSTEM
 Cases about whether a law violates the constitution
 Disputes between two or more states
 Bankruptcy

STATE COURT SYSTEM
 Most criminal cases
 Family law (marriage, divorces, adoptions)
 30,000,000 cases each year

Teacher Directions, Appendix page 21

Students examine a chart that shows how a case moves through the judicial system and arrives at the Supreme Court.

Procedure

1. Give students a few minutes to read through the diagram.
2. Ask students some or all of the following questions:
 - a. What is unique about the trial court?
 - b. What is unique about the Supreme Court?
 - c. What do trial courts determine?
 - d. What do appeals courts determine?
3. As a class, discuss how a case like *Loving v. Virginia* could move through the state courts and arrive at the Supreme Court.

Extension:

Have students research landmark Supreme Court cases and present their findings to the class from the perspective of one of the case participants (i.e., plaintiff, justice, or defendant).

The following are resources for teaching landmark Supreme Court cases:

- http://www.learner.org/libraries/socialstudies/6_8/ewbank/index.html. See also the video of classroom discussion.
- <http://www.streetlaw.org/en/landmark/home>
- http://www.nytimes.com/learning/teachers/featured_articles/20080915monday.html