



WHEN IS A CRIME NOT A CRIME?

SOCIAL STUDIES ACTIVITIES

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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.

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.

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?
<i>Assault (no weapon other than hands—you are attacking someone)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Assault (no weapon other than hands—you are defending yourself against someone who attacked you)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Theft (of food to feed your family)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Theft (of a new phone because you want one)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Breaking a neighbor's window (on purpose because you hate them)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Breaking a neighbor's window (accidentally with a baseball)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Killing someone (because you are angry at them)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		
<i>Killing someone (in a fight after they attacked you)</i> <ul style="list-style-type: none"> <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony <input type="checkbox"/> Not a Crime 		

Degrees of Intent

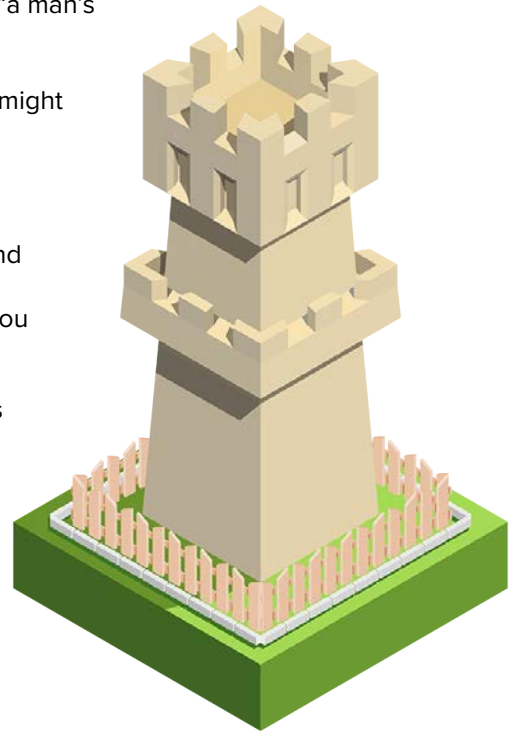
When One Person Kills Another

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.

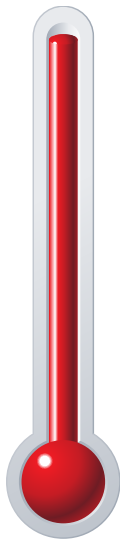
 **TURN, TALK, AND WRITE**

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.

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.

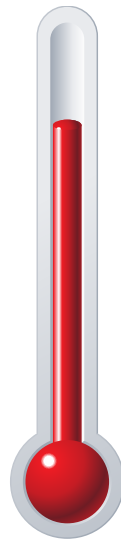


1. First degree murder

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.

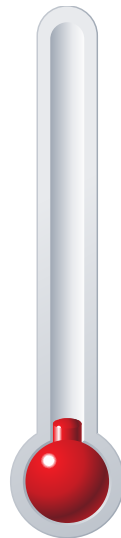


3. Voluntary manslaughter

(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:

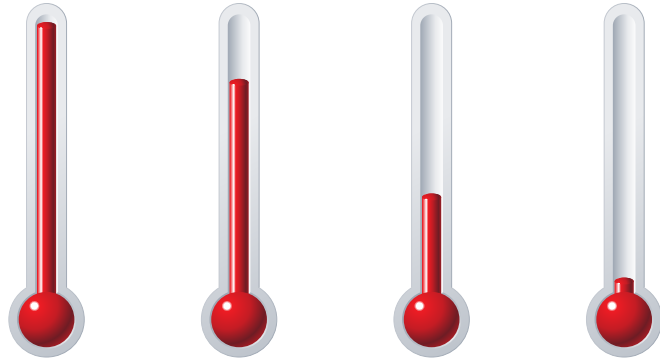
- Swerving into an oncoming car and killing the driver because of texting while driving.
- Failing to fix the steps in a rental property after repeated requests, and someone falls through them and dies.

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**:



Homicide

First degree murder

Second degree murder

Voluntary manslaughter

Involuntary manslaughter

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.				

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.

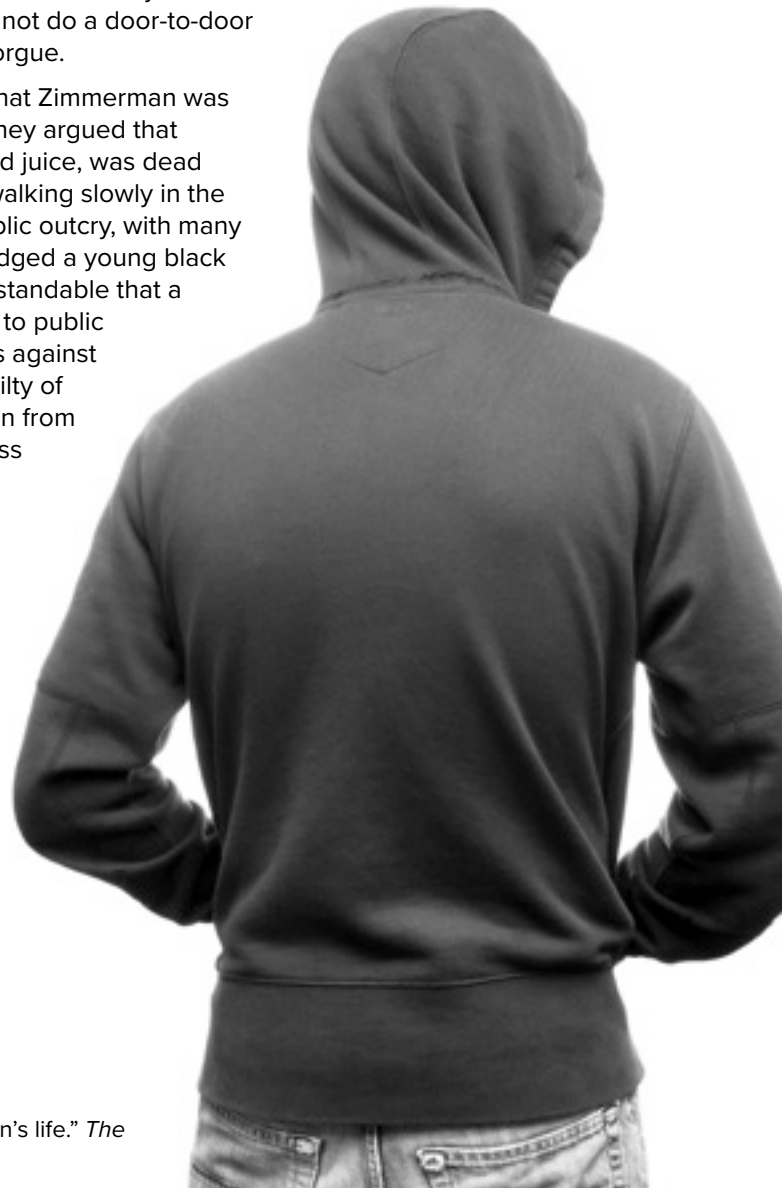
Police dispatcher: Okay, we don't need you to do that.

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

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.



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.

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

As a class, rewrite the excerpt from the 14th Amendment on the board in your own words.

How did Virginia's ban on interracial marriage violate the 14th Amendment?

Source: Loving v. Virginia, Opinion of the Court. 388 U.S. 1. Supreme Court of the United States. 1967. Legal Information Institute. Web. 1 Oct. 2013.

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.”

TURN AND TALK

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

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

continued on the next page

Debate

Should everyone receive the same sentence for the same crime?

In 2011, Lindsay Lohan pleaded 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.

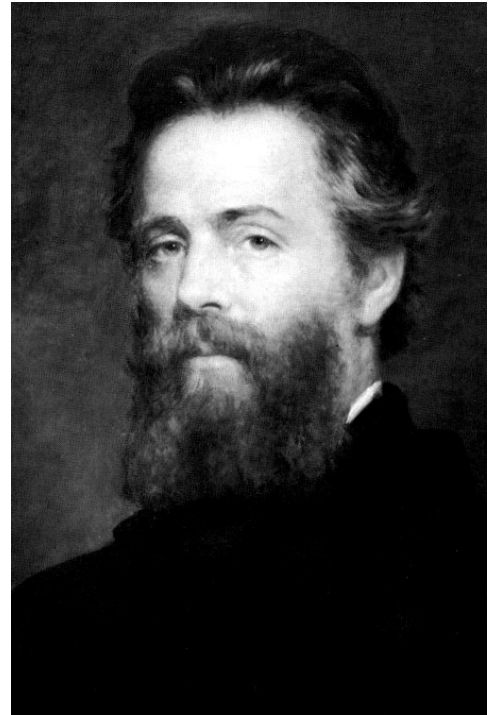
Reasons the sentence should be at least 120 days	Reasons the sentence should be reduced

Law and Justice in Literature

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?*



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

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?

Mini-Glossary

iniquity – unfairness

tribunal – court

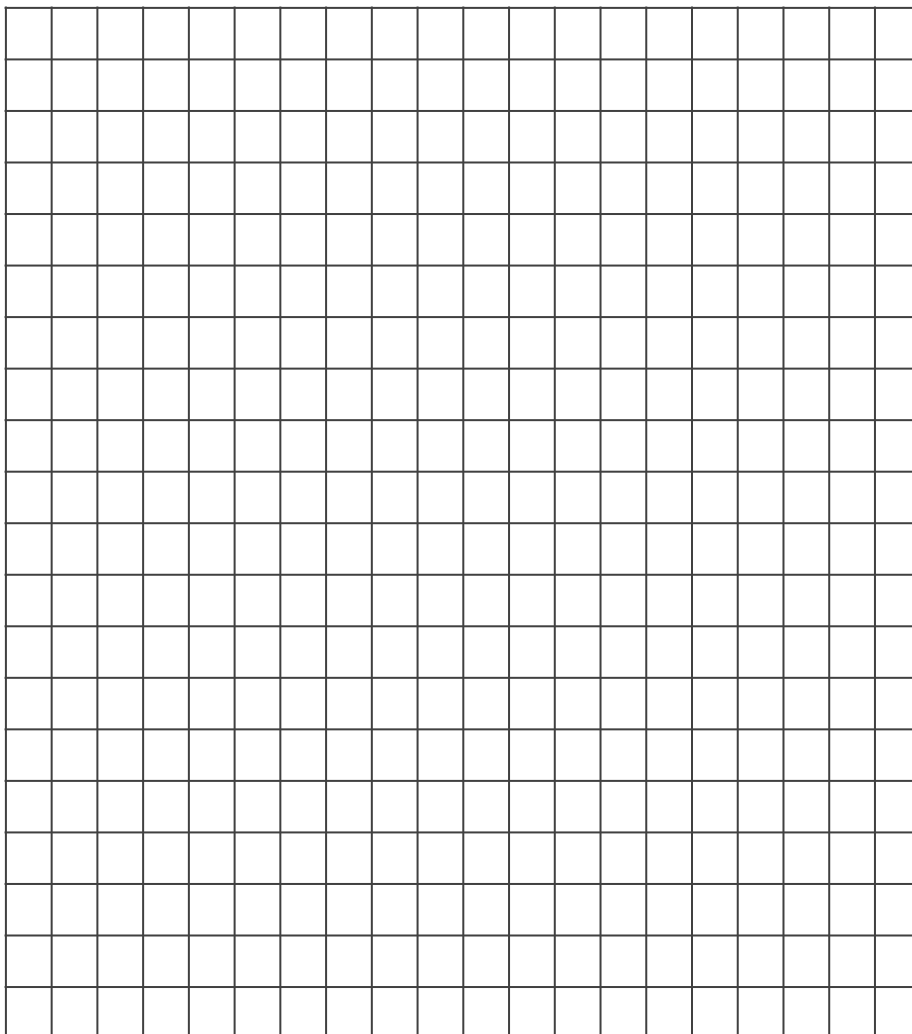
Education and Crime

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 Approximate 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.



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.

One Element of Violent Crime

In the 1960s and 1970s, rates of violent crime in the U.S. rose dramatically. Then, just as dramatically, these rates began to drop in the 1990s. Researchers analyzed data in a search for possible causes of this rise and fall. They looked at changes in the job market to see whether lower earnings caused increased crime during the high crime years. They looked at changes in illegal drug use to see if the need for drug money or other drug related **offenses** could explain the pattern. And they looked to see whether the number of prisons mattered—whether more criminals were convicted when prisons had space, and fewer were convicted when prisons were full. But none of these variables could fully account for the major trends in violent crime.



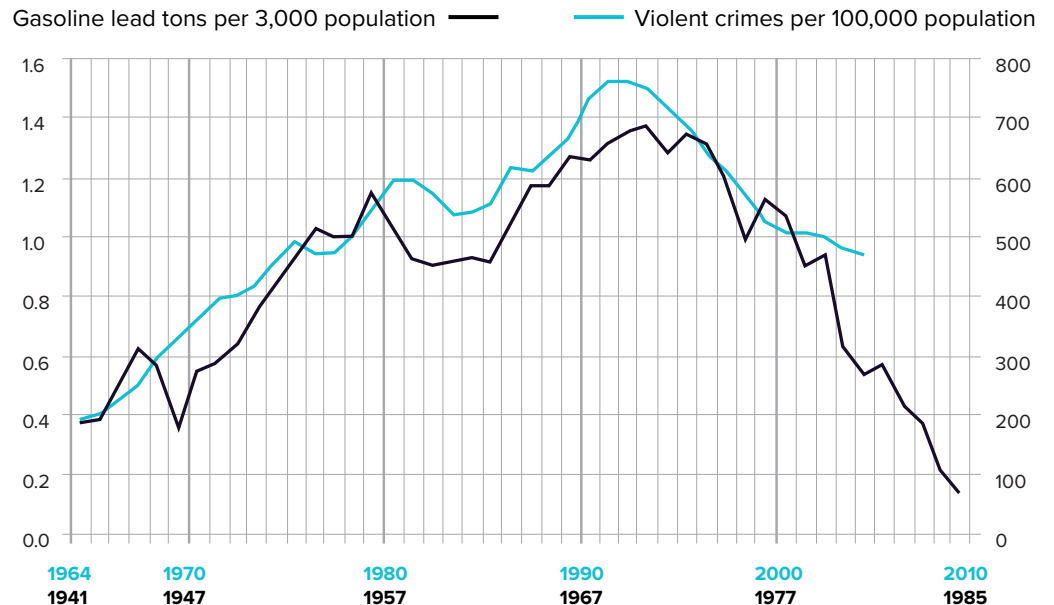
Economist Rick Nevin took interest in this issue in the early 1990s. He wondered whether fluctuations in crime might be the **consequence** of something that happened long before the crimes were committed. He knew about studies showing that young children's repeated exposure to lead can result in lower intelligence, increased aggression, and decreased ability to control impulses later in life.

Lead is chemically similar to calcium, and the human body mistakenly absorbs lead into the places where calcium is stored: bones, teeth, and blood. Lead poisoning can damage numerous organs in the body, including the brain, and can be fatal at high levels.

Everyone is susceptible to lead's toxic effects, but exposure to lead has the greatest **consequences** for children, whose brains are developing rapidly.

Rick Nevin reasoned that if the crime rate is highest for **juveniles** and young adults, then changes in crime might be explained by lead exposure levels about twenty years earlier, when the **alleged** criminals were babies. When he analyzed the data, he found a strong correlation: When lead exposure rose, crime rose twenty years later. And when lead exposure dropped, so did criminal **offenses** approximately 20 years later.

Lead exposure and violent crime, USA



Source: Rick Nevin and Jessica Wolpaw Reyes

There is a large body of research demonstrating the connection between lead exposure and violent crime levels in more than eight countries. Economist Jessica Wolpaw Reyes found additional evidence in support of the lead–crime 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. Moreover, research shows that no matter when a specific region enacted anti–leaded gas laws, the violent crime rate in that region always decreased about two decades later.

TURN AND TALK

Some criminal justice experts believe the correlation between lead exposure and crime is **arbitrary**. They argue that crime has more to do with circumstances such as poverty or childhood abuse than with a person's biology. What additional information would you need to confirm Nevin's hypothesis that the rise and fall of violent crime could be attributed to lead exposure?

Consider the three **consequences** of lead exposure in young children listed in the text above. Discuss how these factors could increase the likelihood that someone would commit violent **offenses**.

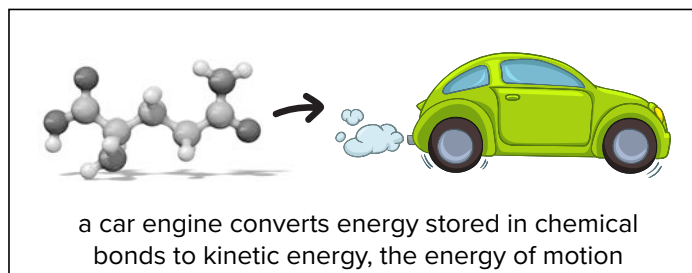
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One Element of Violent Crime

What accounts for the changes in lead exposure over time? Lead has been introduced into many products because it has physical properties that are helpful for a variety of purposes. For example, lead is used in the vests and blankets that shield against x-ray radiation because it can be easily shaped or bent, and it is a poor transmitter (so radiation cannot easily pass through). Lead was used in paint because of its shine or glow, and its density makes it a good substance for ballast in ships. Lead also has useful chemical properties. It is resistant to corrosion from water, and it does not burn. It has been used in water pipes and in car batteries. 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 made from fossil fuels, which store chemical energy that the car's engine converts into kinetic energy to power the car. Unfortunately, in the early days of the automobile, inexpensive gas tended to waste some of this energy and to cause a loud knocking noise in the engine. High octane gas eliminated these problems, but it was more expensive.

In 1921, scientists discovered that the addition of a lead molecule called tetraethyl lead— $\text{Pb}(\text{C}_2\text{H}_5)_4$ —made fuel much more efficient and eliminated knocking. 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. Particles of lead settled from the air into soil, contaminating it as well. Over time, a growing body of evidence raised awareness about the toxic effects of lead. The U.S. Environmental Protection Agency restricted the lead content of gasoline beginning in 1973, and it was banned altogether in the U.S. in 1995. Other sources of lead were regulated as well, including lead used in paint. However, older houses may have lead in layers of paint that were applied before lead in paint was prohibited. Peeling or disintegrating paint can cause lead exposure, putting young children who crawl on the floor and put everything in their mouths at risk.

 **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, such as its weight and smell, can be observed without changing its composition.

A **chemical property** of a substance is defined by how it interacts with other substances and can be observed only by changing it.

Lead (with the chemical symbol Pb) is the 82nd element in the periodic table of elements. 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) _____

 **TURN AND TALK**

Classmates Jennifer and Kyla agreed on all properties except “changes from a solid to a liquid at 327°C .” Jennifer says this is a chemical property because it can be observed by changing it from solid to liquid. Kyla says it's a physical property because it can be observed without changing its composition. Who is right? Does a change of state (from solid to liquid to gas) require an interaction?

Examining the Focus Words Closely

SoGen Unit 8.4

FOCUS WORD OR *RELATED FORM	DEFINITION	SAMPLE SENTENCE	TURN AND TALK
arbitrary (<i>adjective</i>)	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 (<i>verb</i>)	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 (<i>noun</i>)	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 (<i>verb, noun</i>)	(<i>v</i>) to use a physical trait to decide something about someone, like whether to suspect them of a crime (<i>n</i>) 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 (<i>adjective, noun</i>)	(<i>adj</i>) young; immature (<i>n</i>) 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 (<i>noun</i>)	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 (<i>adjective</i>)	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 (<i>verb, noun</i>)	(<i>v</i>) to ask a court to review a lower court’s decision; to attract or interest (<i>n</i>) 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 (<i>noun</i>)	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>



SUPREME COURT OF THE UNITED STATES

Can overturn laws that are found to be unconstitutional
 Every court in the U.S. 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

Can judge the facts about the case using juries, witnesses, and evidence

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