

**“Hey, that’s my private property!”**

Kathryn is texting in class with her new Iphone 6. Mrs. Morton is very strict about phones, but Kathryn really needs to send a text about this cute boy in her class.

*Kathryn puts her tablet in the upright position. She gets out her phone and starts to text. Mrs. Morton sneaks over.*

**\*Mrs. Morton:** Excuse me missy! Give me that phone. No phones in class.

**\*Kathryn:** OK, but I can have it after class, right?

**\*Mrs. Morton:** [takes phone] You can get it after school from Mr. Badogan!

**\*Kathryn:** Wait, I didn’t set the password. Hey, you all can’t take it! This is not fair!

*Mrs. Morton takes the phone to the Dean’s office.*

Setting: Mr. Badogan’s office

*Mr. Badogan sits down to have his lunch. He notices a text message come in. The text message says: “Hey, what’s up bae! I got some stuff for you!”*

**\*Mr. Badogan:** What’s this!?! “Hey what’s up bae! I got some stuff! Someone is bringing drugs to school! I can see from this message that someone has drugs in the school! Someone call Mrs. Baxey and Officer Belias

*Mrs. Baxey enters the room.*

**\*Mrs. Baxey:** I think we should pull the student in here right now and get her permission. If she doesn’t give it, then we’ll have to take it to the next step.

**\*Mr. Badogan:** I disagree. I saw a message about drugs. This gives me the right to search the phone.

*Mr. Badogan and Officer Belias check through the phone.*

**\*Mr. Badogan:** Wow. There are so many messages here about smoking and selling marijuana in school. And look at all of the people involved. There are at least 20 students here that I recognize.

**\*Officer Belias:** And look at the photos. There are photos of test questions and homework. And parties! They have been sent to all these kids. Let's call them in here.

**\*Mrs. Baxey:** I think we have enough here to at least suspend some students. There are probably criminal charges, too.

*Everyone leaves the scene. Later, we see the nightly news.*

**\*News reporter:** At BC Millions High School today, police and administrators broke an organized group that was involved in stealing exams, cheating, selling drugs, smuggling alcohol into schools, and organizing late night parties in the football field. A lawyer for one of the accused has commented that this case will be thrown out because of 4<sup>th</sup> Amendment rights to privacy

**\*Lawyer:** This entire case is linked to my client's cell phone. But her cell phone was illegally searched. It was confiscated because she was texting in class. This is not an excuse to search the phone. There is no proof that the administrators have any reason to search the phone.

*1-Which amendment is this scenario about?*

*2-What evidence does Mr. Badogan use to justify the search of the phone?*

*3-Why does the lawyer disagree?*

*4- What kind of search was performed? What kind of "reasonableness" was given to search the phone?*

*4 – IF YOU COULD MAKE A PREDICTION about how this case will end up, what will you say? Who is wrong? Who has the law on their side? Who has the burden of proof? Who will win?*

## "No English!"

There is a group of students playing around outside of the school. They are roughhousing and play fighting. They don't notice when a police car pulls up.

**\*Officer Toad:** We've had a report of someone spray painting gang graffiti and smashing windows nearby. I bet it's these boys. They look suspicious. They are speaking Spanish, too.

*The police officers slowly walk towards the boys. The boys don't notice. They continue to mess around. Franklin and Kevin roll around on the ground. They are wrestling.*

The police officers pull Franklin and Kevin off of each other.

**\*Officer Toad:** Hey, chicos. You all speak English? Were you spraying graffiti and smashing windows over on Russell Road last night? You understand?

**\*Franklin:** Que djio? No entendi nada. Creo que nos pregunto si vivimos por Russell Road.

**\*Kevin:** Esparate vos. Dejame pensar. Creo que nos pregunto si pasamos por Russel Road esta manana cuando perdimos el bus.

**\*Franklin:** Sera que es de la escuela. Creo que es pura chota, maje!

**\*Kevin:** Nambe. Es de la escuela.

**\*Officer Frog:** Hey, I don't understand anything. Listen. I want a yes or no answer: DID YOU SMASH THE WINDOWS ON CARS AND HOUSES IN RUSSELL ROAD? Yes or no?

*Kevin and Franklin look very scared. They don't understand. All they understand is Russell Road.*

**\*Kevin:** Si, pues. O, digo. Yes, Russell Road. We coming on Russell Road.

**\*Officer Toad:** And you smashed up some windows right?

**\*Kevin:** Yes.

**\*Franklin:** Yes.

**\*Officer Frog:** You all are part of some Chirilagua gang, then?

**\*Kevin:** Yes, Chirilauga.

*Officer Frog and Toad handcuff Kevin and Franklin. They put them in the police car.*

**\*Kevin:** Sera que nos esta llevando para la escuela.

**\*Franklin:** Creo que no. Dijo algo de “You have the right to remain silent...” Lo he visto en peliculas. No se que significa. Cuando llegemos, vamos a hacer todo que dice la policia.

*Now we are watching the evening news. The reporter is talking about a recent gang bust.*

**\*Reporter:** Police have finally solved the mystery of the gang-related vandalism in the Beverly Hills neighborhood of Alexandria. They have caught the leaders of a local gang who admitted to officers that they committed the crimes. They even signed a confession.

**\*Franklin:** Firma aqui, maje!

**\*Kevin:** Simon, asi nos van a dejar salir.

**\*Reporter:** A lawyer for the defendants said that the confession was inadmissible because they didn’t understand they were incriminating themselves. They weren’t informed of their rights in a language they understand.

*1-Which amendment is this scenario about?*

*2-Why do the police think Franklin and Kevin admitted to a crime?*

*3-Why does the lawyer disagree?*

## “Muslim Student League”

Mohammed, Yahya, and Fatima are students at BC Millions High School. It is a very diverse high school with many clubs. These students are very serious and devout Muslims. They decide to start a Muslim Student League to speak up for their rights in the community.

*The students gather for a meeting. Mohammed is giving a speech.*

**\*Mohammed:** Listen guys, we are facing some discrimination in the community and we need to speak out. I work at Chipotle and I politely asked my manager to go and pray. He said that I couldn't or else he would fire me. This is discrimination.

**\*Fatima:** Yeah, you know, I wanted to get a job at Abercrombie and Fitch and they asked me if I was going to wear my hijab. I didn't answer. I also didn't get the job.

*The students shout out in protest. They look angry! Two American boys pass by the classroom.*

**\*John:** What are those Muslim kids doing!? They sound so angry. I bet they are doing something illegal.

**\*James:** Yeah, I'm sick of this stuff! They could be working for ISIS or something and we can't do anything. We can't say anything cause this is school!

**\*John:** We can't say it in school. But we can say it online! We can take a picture of every single one of them from facebook. It's free speech. It's public! We can say: "Look at what these terrorists are doing!"

*John and James write down the names of each of the students. Then, they get their pictures of the internet.*

**\*John:** OK, I got a picture of this Mohammed guy from my friend's page. Let's add it to our page.

**\*James:** Yeah, we can do the same for all of them. Then we will make a title that says something like: "THESE ARE KNOWN ENEMIES OF AMERICA. THESE ARE MUSLIM TERRORISTS! WE MUST FIGHT FOR OUR COUNTRY!" It's freedom of speech. I can say what I want!

*John and James make their page. The next day Mohammed and his friend confront them in the hallway.*

**\*Mohammed:** Hey, I know what you did. And it's not alright. It's hate speech. It's not freedom of speech. You can't say that and I can sue you.

**\*Fatima:** Yeah, I got an email from my next employer. She saw the page and wanted to know about it. She was really upset. We were just trying to fight discrimination. Now, you made it worse.

**\*James:** Look, we can do what we want. It's a free country and we have free speech. This is our first amendment right.

*1-Which amendment is this scenario about?*

*2-How did James and John justify their webpage?*

*3-Why were Mohammed and Fatima angry? Can you guess how they might say this is not "free speech."?*

*4 – IF YOU COULD MAKE A PREDICTION about how this case will end up, what will you say? Who is wrong? Who has the law on their side? Who has the burden of proof? Who will win?*