

ELEMENTARY LESSON PLANS

COURTROOM DRAMA: INTRODUCING STUDENTS TO THE CRIMINAL JUSTICE SYSTEM

Students will learn about criminal trials, and the roles judges, lawyers, and jurors play in trials, while comparing the classic version of “Three Little Pigs” to “The True Story of the 3 Little Pigs!” by Jon Scieszka.

Grades: K-2

Materials:

Classic Version of “Three Little Pigs”

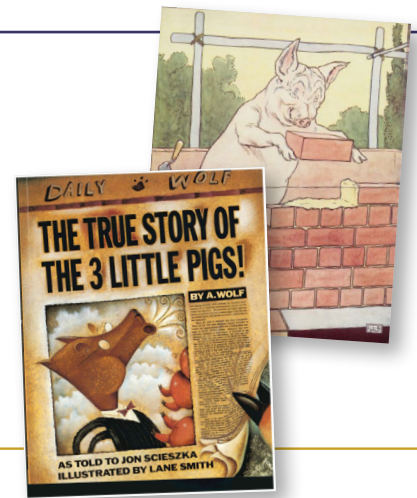
“The True Story of the 3 Little Pigs!” by Jon Scieszka

[Sequencing handouts](#)

[Courtroom Vocabulary](#)

[Trial of Alexander T. Wolf Courtroom Diagram](#)

Procedure for Grades K-2



Pre-Lawyer Visit

In preparation for the Law Day classroom visit, the teacher should read, or have students read, a classic version of “Three Little Pigs.” After reading the story, students should work in pairs to retell the story and complete a sequencing activity.

Lawyer in the Classroom

Introduce yourself to students and explain that you are a lawyer and it is part of your job to help people understand laws. Laws are the rules that people must follow in our country. Ask students if they can think of any laws that people have to follow in their community. You may want to use traffic laws as an example if students are not able to think of any other types of laws. Explain that today you will continue to discuss the story of “Three Little Pigs” to learn what happens when someone is accused of breaking a law in our country.

Ask students to share what they know about the story of “Three Little Pigs.”

- Why did the wolf blow down the little pigs’ houses?

- What was the wolf trying to do?
- A crime is committed when someone does something that is against the law. What crime do you think the wolf committed based on the story?

Explain to students that this is one version of the story, and today they will read another version. Read students the “The True Story of the 3 Little Pigs!” Ask students to compare the two stories.

- What was the same? What was different?
- In this version, why did Mr. Wolf blow down the little pigs’ houses?
- What was the wolf trying to do?
- How do we know if Mr. Wolf is telling the truth?

Explain to students the role’s that the court and juries play in our justice system. When someone is accused of a crime, a court will decide if they are guilty of the crime or not. A judge makes sure that they have a fair trial, and a jury listens to all of the evidence that is presented by lawyers before deciding if a person is guilty of breaking the law.

Use the characters from “The True Story of the 3 Little Pigs!” and the diagram handout to discuss the roles of lawyers, judges, juries, defendants, and witnesses.

- Where would Mr. Wolf sit in the courtroom if he went to trial?

Explain to students that a jury is a group of people chosen to listen to the evidence, or facts, presented by both sides during a trial. A jury then decides if the person is guilty of committing a crime based on the evidence that they heard during the trial.

Ask students how they would vote if they were chosen to be on a jury for Mr. Wolf’s trial based on what they have heard in the two stories?

- Do you think he is guilty?
- Why or why not?

Extension

Depending on the level of students and the time allowed, you may want to conduct a mock trial with students based on “The True Story of the Three Little Pigs!” created by Middletown Public School District, Middletown, Connecticut.

Focus for Grades K-2:

Students will work in pairs to retell the classic story of “Three Little Pigs” and complete a sequencing handout.

After hearing a lawyer read “The True Story of the 3 Little Pigs!”, students will then compare the facts presented in both stories. Who is telling the truth?

The lawyer will lead students through a discussion of the two stories presented and the facts of the case before having the students vote as part of jury.

Focus for Grades 3-5

Students will be introduced to the difficulties that judges, lawyers, and juries face in attempting to present and understand all relevant facts and legal arguments and to insure that there is a just resolution of the issues.

Students will participate in a mock trial based on the evidence provided in both the classic story and “The True Story of the 3 Little Pigs!” The mock trial script was developed by the Middletown Public School District, Middletown, Connecticut.

Grades: 3-5

Materials:

Classic Version of “Three Little Pigs”

“The True Story of the 3 Little Pigs!” by Jon Scieszka

[Courtroom Vocabulary](#)

[Trial of Alexander T. Wolf Courtroom Diagram](#)

[Comparing Perspectives handout](#)

[We, the Jury: Mock Trial Script for the Trial of Alexander T. Wolf](#)



Procedure for Grades 3-5

Pre-Lawyer Visit

Students should be informed that they will be reading two versions of “Three Little Pigs” that present different perspectives on the events that took place in the story. The wolf has been accused of killing two of the little pigs and will be going to trial. The students will need to familiarize themselves with the evidence presented in both stories in preparation for a mock-trial activity.

Students should first read the classic version of the “Three Little Pigs” and “The True Story of 3 Little Pigs!” and work individually or in small groups to complete the Comparing Perspectives handout before sharing their responses with the entire class.

Lawyer in the Classroom

Introduce yourself and tell students a little bit about your job. Explain to the students that they will be learning more about criminal court proceedings as they conduct a mock trial to determine if Alexander T. Wolf is guilty or innocent. During the mock trial, all of the students will be playing the role that people have in courtrooms every day.

Before going over some courtroom vocabulary with students, ask the following questions:

- What roles or people do you think will be included in the mock trial? (judge, lawyer, jury, witness)
- Does anyone know what two types of trials there can be in this country? (civil and criminal)

Explain to students that this is a criminal trial and that in criminal trials, a jury of people listens to the evidence presented and decides if the person accused of the crime is innocent or guilty. Today we will be simulating a criminal trial and some of you will be serving on the jury.

Preparing for the Mock Trial

Review the courtroom vocabulary with students available at lawday.org. You can use the characters from “The True Story of the 3 Little Pigs!” and the Trial of Alexander T. Wolf Courtroom Diagram handout to further discuss the roles of lawyers, judges, juries, defendants, and witnesses. You may want to set up the classroom like a courtroom.

Assign roles and distribute role instructions.

[Instructions for Jurors and Witnesses](#)

Juror—Your job is to listen to all of the facts presented by both sides. In any criminal case, the defendant is presumed to be

innocent unless he or she is proven guilty beyond a reasonable doubt. The defendant does not have to prove his or her innocence. After all the evidence is presented, you will meet with the other jurors to reach a decision. Your decision, or verdict, must be unanimous. **Witnesses**—Your job is to answer the questions that you are asked truthfully.

Hold a Post-Mock Trial Discussion

- Ask students how they felt about the mock trial.
- What do you think would be difficult about being a judge, lawyer, juror, or witness?
- If you were the subject of a case that went to trial, would you prefer to have the case decided by a single person or a group of people on a jury? Why?

For the students that were not jury members:

- How would you have voted if you were on the jury?

For the students that were jury member:

- How did you feel about making a decision about someone’s guilt or innocence?

MIDDLE SCHOOL LESSON PLAN

TRACING OUR RIGHTS

In this lesson, students will read the text of the *Miranda* warning and then compare it to an excerpt from the U.S. Supreme Court's *Miranda* decision. Finally, students will then discuss connections between the decision and the Fifth and Sixth Amendments to the Constitution. A classroom-ready PowerPoint presentation is available for download from www.lawday.org.

Procedure for Grades 6–8

Time: 60 minutes

Ask students to brainstorm television shows or movies that they have seen that show a person being arrested or interrogated by police.

- What do the officers usually say during the arrest?
- What rights are mentioned in this warning?

Share the text of the *Miranda* warning with students.

- What rights are outlined in the warning?
- Where do you think this language comes from?

Distribute or project the following excerpt:

Our holding will be spelled out with some specificity in the pages which follow, but, briefly stated, it is this: ... Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed. The defendant may waive effectuation of these rights, provided the waiver is made voluntarily, knowingly and intelligently. If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking, there can be no questioning...

Discuss the excerpt with students:

- What rights does the Supreme Court decision excerpt say people must be told about prior to police questioning?
- Why do you think the Court thought that these rights are important to protect?
- How do you think the Court reached this decision?

Share with students the excerpted texts of the Fifth and Sixth Amendments to the U.S. Constitution:

Fifth Amendment

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, ... nor shall any person be ... compelled in any criminal case to be a witness against himself; ...

Sixth Amendment

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury ... and to have the Assistance of Counsel for his defence.

Discuss the excerpts with students:

- What rights do these amendments guarantee?
- Why do you think these rights are contained in our American Bill of Rights?

Wrap up discussion by asking students to compare the texts of the *Miranda* warning, decision excerpt, and two amendments, and note the similarities. Emphasize the connections between the *Miranda* warning, Supreme Court decision, and the Constitution.



Provide a summary of the story of Ernesto Miranda, and the *Miranda* decision, if needed.

Explain to students that they will be reading an excerpt of the Supreme Court decision in the *Miranda* case, from 1966.

THE MIRANDA WARNING

- 1** YOU HAVE THE RIGHT TO REMAIN SILENT.
- 2** ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
- 3** YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE THE LAWYER PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED.
- 4** IF YOU CANNOT AFFORD A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH.
- 5** YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.
- 6** DO YOU UNDERSTAND EACH OF THESE RIGHTS AS I HAVE EXPLAINED THEM TO YOU?
- 7** HAVING THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO US NOW?

HIGH SCHOOL LESSON PLAN

LOOKING AT *MIRANDA*: YOUR RIGHT TO REMAIN SILENT

In this lesson, students will learn about their *Miranda* rights and the circumstances of “custody” and “interrogation” that require law enforcement to recite a suspect these rights. After reviewing *Miranda v. Arizona* as a class, students will work in small groups to explore how the U.S. Supreme Court has ruled on *Miranda*-related issues in recent years.

A classroom-ready PowerPoint presentation is available for download from www.lawday.org.

Procedure

Time: 60–90 minutes

Ask students to think about a television show or movie that they have seen that shows a person being arrested or interrogated by police.

- What do the officers usually say during the arrest?
- What rights are mentioned in this warning?

Share the text of the *Miranda* warning with students. Provide the story of Ernesto Miranda, and the *Miranda* decision, if needed.

- Why do you think the Court felt it was important to make *Miranda* aware of these rights?
- What rights did the Court determine were violated in this case?

If necessary, review two key terms related to *Miranda* warning protocols with students:

Custody means formal arrest or the deprivation of freedom to an extent associated with formal arrest.

Interrogation means explicit questioning or actions that are reasonably likely to elicit an incriminating response. The police do not need to give the *Miranda* warnings before making an arrest, but the warning must be given before interrogating a person while in custody.

Explain to students that they will be learning about Supreme Court cases related to the *Miranda* warning that have been decided since the decision was issued in 1966. Emphasize that even though the decision was announced fifty years ago, it remains relevant today.

Organize students into six small groups and distribute one case study to each group. Each group should read their case summary and then prepare to answer the following questions as they share it with the rest of the class:

- What are the facts of the case, including the name and year?
- What question(s) did the Court decide? How did the Court rule?
- How does the ruling affect *Miranda* rights?

Wrap up discussion by asking students to discuss how applications of the *Miranda* warning have changed over time, and what that might mean for our constitutional rights.

Case Studies

Greenwald v. Wisconsin (1968)

Mr. Greenwald was arrested on suspicion of burglary and interrogated at a police station. Over the course of 24 hours, he was denied medication, sleep, and food. He made no incriminating statements to police, and repeatedly denied guilt, but later provided a written confession. According to his testimony, Greenwald confessed because “I knew they weren’t going to leave me alone until I did.” In a 6-3 decision, the U.S. Supreme Court stated that under the “totality of the circumstances” surrounding petitioner’s confession that it was not voluntary. Greenwald was not given counsel and was denied food, sleep, and medication; he was not given adequate warnings as to constitutional rights. “Considering the totality of these circumstances, we do not think it credible that petitioner’s statements were the product of his free and rational choice.

Oregon v. Mathiason (1977)

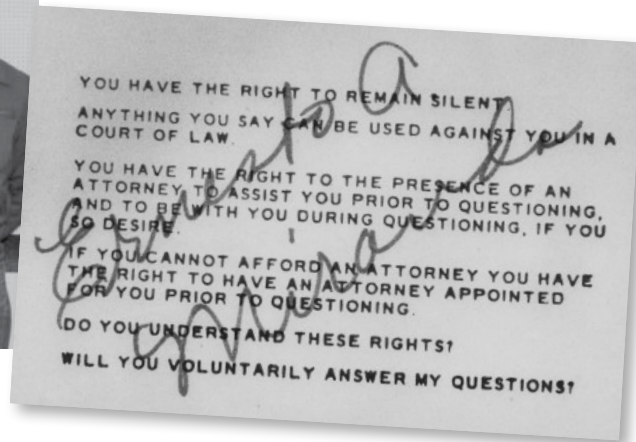
Mr. Mathiason was invited to a police station to answer questions about a burglary. He came freely and was told he was not under arrest. Mathiason confessed to the crime and later claimed it should not be used at trial because he had not been properly *Mirandized*. In a 6-1 decision, the U.S. Supreme Court ruled that since the questioning took place in a context where Mathiason’s freedom to depart was not restricted in any way—he came voluntarily to the police station and was informed that he was not under arrest, and he was not in police custody at the time of his confession,—*Miranda* rules did not apply.



Ernesto Miranda with his lawyer ▶
Source: University of Texas



◀ Ernesto Miranda in police lineup.
Source: University of Texas



New York v. Quarles (1984)

Mr. Quarles, a rape suspect, entered a supermarket, carrying a gun. Police arrested him but did not find a gun on his person. Police asked Quarles where the gun was, and he gestured, “the gun is over there.” The officer found the gun and read Quarles his *Miranda* warnings. Quarles later argued that his statement must be excluded because it was elicited before the police read him his *Miranda* warnings. In a 5-4 decision, the U.S. Supreme Court held that there is a “public safety” exception to the requirement that officers issue *Miranda* warnings to suspects. Since the police officer’s request for the location of the gun was prompted by an immediate interest in assuring that it did not injure an innocent bystander or fall into the hands of a potential accomplice, a failure to read the *Miranda* warning did not violate the Constitution.

Maryland v. Shatzer (2010)

Police interviewed Mr. Shatzer in 2003 regarding allegations that he had sexually abused his child. At the time, he was incarcerated on an unrelated offense, and during the interview invoked his rights to counsel and to remain silent, so the interview was terminated. The investigation was subsequently closed, only to be reopened in 2006. During the 2006 interview, Shatzer confessed to abusing the child, but insisted his *Miranda* rights from three years earlier still applied. In a unanimous decision, the Court held that because Shatzer experienced a break in *Miranda* custody lasting more than two weeks between the first and second attempts at interrogation, the Fifth Amendment does not mandate suppression of his 2006 statements. “That provides plenty of time for the suspect to get reacclimated to his normal life, to consult with friends and counsel, and to shake off any residual coercive effects of his prior custody.”

Howes v. Fields (2011)

While he was incarcerated, Mr. Fields was escorted from his cell to a conference room where armed law enforcement officers, who did not work for the prison, questioned him for seven hours regarding activities unrelated to his incarceration. Fields was told that he could request to go back to his cell whenever he wanted, and the door to the room was kept open during questioning. He eventually made incriminating statements, which he sought to exclude from trial because he was not read his *Miranda* rights at the time. In a 6-3 decision, the U.S. Supreme Court stated that investigators don’t have to read *Miranda* rights to inmates during jailhouse interrogations about crimes unrelated to their current incarceration. “Imprisonment alone is not enough to create a custodial situation within the meaning of *Miranda*.”

Salinas v. Texas (2013)

Police officers spoke with Mr. Salinas during a homicide investigation. He agreed to accompany the officers to the police station, and answered every question until an officer asked whether the shotgun shells found at the scene of the crime would match the gun found in Salinas’s home. He remained silent and “demonstrated signs of deception.” He later objected when his silence was used during trial to suggest guilt. In a 5-4 decision, the U.S. Supreme Court held that a witness must expressly invoke the Fifth Amendment privilege against self-incrimination in order to benefit from it. This requirement ensures that the government is put on notice when a defendant intends to claim this privilege and allows the government to either argue that the testimony is not self-incriminating or offer immunity. The Fifth Amendment’s privilege against self-incrimination does not extend to defendants who simply decide to remain mute during questioning.