

## Situations

1. A state law requires that public schools post copies of the 10 Commandments in all classrooms. A group of parents charge that the law is unconstitutional. Do they have a case?
  
2. A 17 year-old man breaks into a woman's home, ties her up, blindfolds her, and throws her off a bridge. The woman dies. The man confesses to the crime and evidence proves that the crime was pre-meditated. The man is sentenced to death, but he appeals the decision. Will his constitutional rights be violated if the death sentence is carried out?
  
3. In response to the highest murder rate in the country and an enormous problem with illegal guns, a city outlaws handguns except for people who are already registered to own handguns. Citizens may own rifles and shotguns, but not handguns. One man charges that he has the right to own a handgun for personal safety. Does he have a case?
  
4. Two girls at a public school are suspected of smoking. One girl admits it and the other denies it. The principal calls in the girl who denies it and searches her purse. He finds not only cigarettes, but then finds evidence that she is dealing drugs. He calls the police and has the girl arrested. Does the girl have a case?

## Situation Answers

1. The case of *Stone v. Graham* reached the Supreme Court in 1980. Stone and other parents had filed claim against Graham, the Superintendent of Schools in Kentucky, for requiring that the 10 Commandments be posted in all classrooms. The Supreme Court ruled 5 to 4 that the law violated the first amendment; noting that the Commandments deal not only with secular matters, but also with religious matters such as the worship of God.
2. In the 2005 case of *Roper v. Simmons*, the Supreme Court ruled 5-4 that the man could not be executed. He was a minor at the time that the crime was committed and the death sentence constituted cruel and unusual punishment under the 8<sup>th</sup> amendment. See the related case of *Atkins v. Virginia*.
3. The 2010 Supreme Court case of *McDonald v. Chicago* ruled 5-4 in favor of Otis McDonald's right to own a handgun under the 2<sup>nd</sup> amendment. McDonald, an elderly man, lives in a dangerous area of Chicago where guns are prevalent and has had his home broken into several times during the night. See the related case of *District of Columbia v. Heller*.
4. Situation #4 refers to the case of *T.L.O. v. New Jersey*, in which the Supreme Court upheld the right of the school in 1985 despite the plaintiff's insistence that the girl's rights had been violated under the 4<sup>th</sup> amendment. One controversial question in the case involved the principal's right to continue searching the purse once the cigarettes had been discovered. Should he have continued the search without a warrant?
5. A natural extension of situation #4 is locker searches. There is not, as yet, a landmark case involving locker searches. You might provide a hypothetical situation in which a locker is searched for candy, and then challenge students' reactions when the possibility of candy is changed to drugs or weapons. Remind students that lockers are technically school property (although one might debate this), and that schools are generally given leeway by the court in order to maintain a safe environment. An examination of Vernonia-style drug tests, plain view, and joint-use doctrines would be applicable for extension of this lesson.