

STREET LAW
SPRING 2000
MODEL LESSON PLAN
Esther Park

LESSON: Juvenile Justice

TIME: 45 minutes

SUPPLIES: Information sheets for prosecution, defense, respondent, RCW 13.40.010

I. GOALS:

- A. Expose students to some differences between adult and juvenile criminal justice systems
- B. Introduce students to basic dynamics of plea bargaining
- C. Allow students an opportunity to analyze the elements of an offense (review)
- D. Help students understand how to vigorously advocate their positions, but also to compromise when necessary

II. OBJECTIVES:

A. Knowledge Objectives – As a result of this class, students will be better able to:

- 1. Identify at least 3 major differences between the adult and juvenile criminal justice systems
- 2. Name 3 major purposes of punishment
- 3. Know that there is a separate body of law dealing with juvenile offenses
- 4. Review elements of a crime
- 5. Know that most cases “plead out”
- 6. Understand that negotiation requires vigorous advocacy as well as a willingness to compromise

B. Skills Objectives – As a result of this class, students will be better able to:

- 1. Apply elements of a crime to a fact pattern for prosecution or defense
- 2. Advocate their positions to classmates in a small group setting
- 3. Recognize when a compromise is a better course of action than going to trial

C. Attitude Objectives – As a result of this class, students will be better able to feel:

1. The goals of the juvenile justice system are different from those of the adult justice system
2. That negotiation is often the best way to resolve a problem

III. CLASSROOM METHODS:

A. Mini-lecture

1. Purposes of punishment (refer to p. 165 of Street Law Textbook)
 - a. Retribution
 - (1) “Eye for an eye”
 - (2) Society takes revenge instead of the individual
 - b. Deterrence
 - (1) Discourage offender from committing offenses in the future
 - (2) Discourage others from committing offenses
 - c. Rehabilitation
 - (1) Help offenders change behavior and lead productive lives
 - (2) Examples: educational, vocational and counseling programs (especially evident in juvenile systems)
 - d. Incapacitation
 - (1) Separate offender from society
 - (2) Protect community from offender
2. Differences between adult and juvenile justice systems
 - a. Background
 - (1) Hasn't always been this way
 - (2) What is the rationale for changing the juvenile justice system? ***Juvenile delinquency is caused by the breakdown of the family and failure of parents to teach proper values – duty of the government to do it.***

(3) Washington's Juvenile Justice Act at Chapter 13.40 RCW

(a) Read RCW 13.40.010

(b) Name some of the purposes

(c) These purposes are often in conflict – particularly with juveniles

b. Terminology (refer to p. 188)

(1) DEFENDANT – respondent

(2) TRIAL – adjudication

(3) SENTENCING – disposition

(4) CRIME – offense

(5) CRIMINAL – juvenile offender

3. How to plea bargain

a. Have a clear position

b. Know what is important – what you hope to accomplish

c. Know what the bottom line is

d. Be willing to compromise

B. Plea bargaining exercise (Triad)

1. Divide class into three groups by handing out information sheets, which are labeled as follows:

a. Prosecution A, B, C...J

b. Defense A, B, C...J

c. Respondent A, B, C...J

2. Allow a few minutes for everyone to read facts and instructions

3. Plea bargaining exercise

- a. Briefly explain reporting sheet
- b. Instruct students to move into triads
- c. Students negotiate in groups

4. Report to class

- a. Each group tells class its result
- b. Record all results on overhead

C. Reflective writing

IV. Evaluation

A. Listening to negotiations

B. Reflective writing

The Facts

Jimmy is a sixteen year old high school student at Tyee High School. Jimmy has been charged with first degree assault in juvenile court.

The events leading up to this legal problem are as follows:

Jimmy and Diego were leaving the football stadium after they lost the most important football game of the year. Their high school team was called the "Tigers." Students came pouring out of both sides of the stadium. The students from the other high school were exuberant and some were yelling foul remarks about the other team and high school in general.

Jimmy heard a guy (Eric) yell something degrading about the Tigers' team and high school. He doesn't remember exactly, but something like, "You losers, go back to your stinkin' school" Jimmy looked at him and told him to "shut the -- up!" Eric and his group of friends came closer to Jimmy and Diego and Eric threatened, "If you ever tell me what to do again, I'll beat the --- out of you! Now get out of my --- way!" And he and his friends then cut Jimmy and Diego off at the exit doors and got out first.

When Jimmy and Diego got out, they didn't see Eric or his friends. Jimmy and Diego decided to go to a big house party in an area about half-way between Tyee High School and the opposing high school. At the party, which is mainly Tyee high school students, Jimmy and Diego began drinking. Jimmy expressed that he wanted to "trash" Eric and his car, and decided that he wanted to find another party where Eric and his friends would be. Jimmy and Diego found this party and saw Eric standing outside, next to his Mercedes.

Jimmy and Diego got out of their car and Eric yelled, "What the hell are you doing here?" Jimmy walked toward him and yelled, "Who the hell do you think you are?" When Jimmy reached for his keys in his back pocket, Eric hit him in the face. (Eric testifies that he thought Jimmy was reaching for a gun.) Jimmy remained standing and punched Eric back, lunged toward him and threw himself on top of him, knocking Eric to the ground. Jimmy got on top of Eric and punched him and threw his head into the ground.

The police arrive on the scene and pull Jimmy off of Eric. Eric is taken to the hospital and ends up getting 5 stitches.

INFORMATION SHEET FOR PROSECUTION

1. **Do not share this information with the other people in your group.**
2. Your job is to uphold the law and see that crimes are punished.
3. Your client is the state – you don't represent one person in particular but society as a whole.
4. You have a heavy caseload and would like to settle this case, but only if you feel that the respondent is appropriately punished for what he did.
5. You know your case isn't strong – the respondent is an honor student with no record, 5'9" – 160 pounds; the "victim" is 6'3" – 200 pounds and has 3 prior assaults.
6. You believe that your job is to help juvenile offenders become productive members of society, so you want to give this kid a chance, but you don't want to appear "soft."
7. The usual plea bargain in this type of case is for the juvenile to plead guilty to Assault in the Third Degree with a sentence of 30 days in confinement, 6 months of community supervision and 50 hours of community service. Your supervisor will not be happy if you go below this, and you will have a very strong justification.

Offense

Assault in the First Degree (felony)
Assault in the Second Degree (felony)
Assault in the Third Degree (felony)
Assault in the Fourth Degree (gross misdemeanor)

Sentence Range

103 weeks to 129 weeks
15 weeks to 36 weeks
Local Sanctions (see below)
Local Sanctions (see below)

Local Sanctions:

0-30 days confinement
0-12 months community supervision (like parole)
0-150 hours community service
\$0-\$500 fine

INFORMATION SHEET FOR DEFENSE

1. **Do not share this information with the prosecutor in your group.**
2. No matter what you want personally or what you believe is right, your job is to do what your client says he or she wants.
3. Advise your client of the following:
 - a) You believe that your client has a strong case – he’s an honor student with no record, 5’9” – 160 pounds; the “victim” is 6’3” – 200 pounds and has 3 prior assaults.
 - b) It could be up to 3 months before your case goes to trial.
 - c) It takes a lot of time and money to prepare for a trial.
 - d) A trial is always risky and a guilty disposition could result in a stricter sentence than what he’d get in a plea bargain.

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INFORMATION SHEET FOR RESPONDENT

1. **Do not share this information with the prosecutor in your group.**
2. You know your lawyer is supposed to help you, but you aren't quite sure if you trust him/her.
3. You understand the importance of the laws and punishment of people who break the laws.
4. You're sorry the other guy ended up with stitches but you don't think you were totally wrong.
5. You've never been in trouble with the law before and you don't want to have a "record."
6. If you go to trial, you have a chance of getting a "not guilty" adjudication, BUT
 - a) You'll have to miss some school and work. You have finals next month; you're saving for college so you can't really afford to take time off of work.
 - b) You don't want this to drag out.
7. Whatever happens, you don't want to go to detention.
8. Here's the sentencing information, but remember that you aren't an expert and should ask your lawyer if you have any questions.

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REPORT SHEET

Group _____

- We reached an agreement

Respondent will plead guilty to _____

Respondent is sentenced to _____

- We did not reach an agreement – we will go to trial

The final positions were as follows:

Respondent _____

Defense _____

Prosecution _____

GROUP	PLEA (OR NO PLEA)	SENTENCE
A		
B		
C		
D		
E		
F		
G		
H		
I		
J		

