

## **MODEL LESSON PLAN- ISSUES FACING THE CRIMINAL JUSTICE SYSTEM**

**NAME:** Kelly Nieto  
**LESSON:** Issues Facing the Criminal Justice System & Prison Overcrowding  
**SOURCE:** Original Lesson Plan; triad activity modeled off of Mallory Allen & Aurora Wilson's *U.S. v. Drayton* case study  
**DATE TAUGHT:** Monday, February 13, 2012  
**TIME:** 60 Minutes

### **I. GOALS**

- a. Introduce students to the purpose behind the criminal justice system
- b. Introduce students to the theories behind the criminal justice system and the notions of punishment
- c. Engage students to think critically about our criminal justice system
- d. For students to learn basic legal research skills
- e. Empower students to research independently and express their ideas in a creative format

### **II. OBJECTIVES**

- a. Knowledge Objectives – As a result of this class, students will be better able to:
  - i. Define “criminal justice system”
  - ii. Explain the concepts of retribution, deterrence, rehabilitation, and incapacitation
  - iii. Understand why the justice system is important and the purpose it serves
- b. Skills Objectives – As a result of this class, students will be better able to:
  - i. Evaluate the strengths and weaknesses of the criminal justice system
  - ii. Develop thoughtful solutions for prison reform
  - iii. Organize and present an effective argument based on a case study, whether or not the opinion assigned aligns with their own
- c. Attitude Objectives – As a result of this class, students will be better able to:
  - i. Gain confidence in their ability to articulate legal arguments
  - ii. Feel effective advocacy is an essential element of our legal system, even if the view advocated is contrary to personal beliefs
  - iii. Appreciate the magnitude of the issues facing our justice system

### **III. MATERIALS**

- a. Video clip
- b. Issues facing the criminal justice system and prison overcrowding PowerPoint
- c. *Brown v. Plata* case summary

### **IV. CLASSROOM METHODS**

- a. Watch YouTube documentary clip dealing with prison overcrowding.
  - i. Clip located at:
    1. <http://www.youtube.com/watch?v=vBhHryeL5zo&feature=related>
  - ii. Do now: ask students to respond to the clip

1. Specifically: brainstorm possible solutions to the prison overpopulation epidemic
- iii. As a group, identify the problems causing prison overpopulation and possible solutions
- b. Introduce substantive material - barriers to the legal system
  - i. Define the criminal justice system – a system charged with fairly and justly enforcing the criminal laws
  - ii. Explain the theories of punishment behind the criminal justice system: (see PowerPoint)
    1. Retribution
    2. Deterrence
    3. Rehabilitation
    4. Incapacitation
  - iii. Facilitate discussion about whether these theories are still relevant today and whether the criminal justice system achieves the desired goals
  - iv. Short lesson on prison overcrowding: (see PowerPoint)
    1. Relevant statistics
    2. Factors leading to prison overcrowding
    3. The Eighth Amendment and how it applies to the issue
  - v. Facilitate discussion about whether or not prison overcrowding is a violation of the Eighth Amendment
  - vi. Explain recent Supreme Court case regarding prison overcrowding, *Brown v. Plata*
- c. *Brown v. Plata* case study and triad
  - i. Pass out Opinion A (dissent) and Opinion B (majority) from recent Supreme Court decision on prison overcrowding in California
  - ii. Read handout aloud to ensure students are following along and understanding the facts of the case
  - iii. Count students off 1,2,3
    1. Group 1: Opinion A
    2. Group 2: Opinion B
    3. Group 3: Jury
  - iv. Divide students into their three groups in different areas of the room
    1. Have the separate groups brainstorm facts supporting their position and generate their argument to present to the jury
    2. Have jury group read through both the majority and dissenting opinions and make sure they understand the Eighth Amendment
  - v. Further break students into groups of three to engage in triad activity
    1. E.g., one student from Group 1, one student from Group 2, One student from Group 3 all in one group
    2. Have representatives of Opinion A argue their theory, followed by representatives of Opinion B
  - vi. Call jury members up to the front of the room to give their decision and a short explanation as to why

**V. EVALUATION**

- a. Student participation in large and small group discussions
- b. Knowledge and use of new terms

**VI. ASSIGNMENT**

- a. N/A