

“Crime and Punishment—Myths and Realities”
Law-Related Education
Classroom Resources – 2018

The Bar Foundation and the Nebraska Supreme Court are pleased to offer you some free resources for classroom lessons on the topics of criminal justice and corrections.

ABA Division for Public Education, “Justice”

Includes topics on Access to Counsel: Language Barriers; Case of Clarence Gideon; Case of Gerry Gault; Right to Counsel; What Is Justice?

https://www.americanbar.org/groups/public_education/resources/lesson-plans/high-school/justice.html

ABA Division for Public Education, “Due Process”

Includes topics Mock Trial Plan; Moot Appellate Court: State-Appointed Counsel; Scottsboro Trial; Teaching About Due Process and the Law

https://www.americanbar.org/groups/public_education/resources/lesson-plans/high-school/due-process.html

Constitutional Rights Foundation Chicago, “Rights of the Accused”

Middle School Lessons include: Defining Beyond a Reasonable Doubt; No Weapons Allowed

High School Lessons include: Cyberbullying: Should our democracy allow schools to punish students for off-campus cyberbullying; A Case Study: The Sheppard Murder Trial; Detaining U.S. Citizens as Enemy Combatants; Disproportionate Minority Contact; Juvenile Justice: In our democracy, should violent juvenile offenders be punished as adults; The American Jury: The Purposes of a Jury; To Kill a Mockingbird Classroom Conversation; Using Torture on Suspected Terrorists

http://www.crfc.org/teaching-materials?field_lesson_audience_value=All&field_lesson_topic_value=Rights+of+the+Accused&field_us_constitution_value=All&field_teaching_strategy_value=All&field_lesson_keywords_value=&lesson_type=all

Street Law, “Criminal Law”

Includes: Case of Shipwrecked Sailors; Chasing Gideon Lesson Plan; and five separate lessons from the Youth Courts manual

Check the Subject sidebar for other lessons related to Criminal Law (includes overview of Juvenile Justice System.)

http://streetlaw.org/en/resource_library

To encourage discussion about some possible solutions to prison over-crowding and underfunding for corrections, we invite you to explore some of the national and state efforts underway:

National Criminal Justice Commission Act of 2017

A Bill to establish the National Criminal Justice Commission introduced in the 115th Session of Congress
<https://www.congress.gov/115/bills/s573/BILLS-115s573is.pdf> (Senate Bill 573)

Sentencing Reform and Corrections Act of 2017

A Bill to reform sentencing laws and correctional institutions, and for other purposes.
<https://www.congress.gov/bill/115th-congress/senate-bill/1917/text> (Senate Bill 1917)

Nebraska Committee on Justice Reinvestment Oversight

Established by the Nebraska Legislature with the passage of LB 605 in 2015
Purpose is to “study and identify innovative solutions and evidence-based practices to develop a data-driven approach to reduce correctional spending and reinvest savings in strategies that can decrease recidivism and increase public safety.”
<https://nebraskalegislature.gov/FloorDocs/104/PDF/Slip/LB605.pdf>

The Impact of Justice Reinvestment & LB 605 on the Administrative Office of Probation – 2017

A report by the State of Nebraska Judicial Branch
<https://supremecourt.nebraska.gov/sites/default/files/LB605-impact.pdf>

Nebraska Juvenile Justice Reform Initiative

Administrative Office of Probation, Juvenile Services Division
Goal: To prevent juveniles from returning to the juvenile justice system or entering the adult criminal justice system by:

- Engaging juveniles and their families in the court process
- Eliminating barriers to accessing effective treatment and services
- Partnering with educational and community stakeholders

Annual Report FY 2016-2017
https://supremecourt.nebraska.gov/sites/default/files/REV-12.2017_Juvenile_Division_Annual_Report.pdf

2018 State of the Nebraska Judiciary Address

Presented by Chief Justice Mike Heavican on January 18, 2018
The Chief Justice calls attention to the need for adequate funding for probation and problem-solving courts as alternatives to prison
<https://supremecourt.nebraska.gov/sites/default/files/State-of-Judiciary-2018.pdf>

Criminal Justice Reform in the Midwest: Justice Reinvestment in Nebraska

A Congressional Lunch Seminar, Presented by Judge John Colborn, District Court of Nebraska, Third Judicial District Justice Reinvestment Initiative Implementation Committee of the Nebraska Supreme Court, and Richard L. Wiener, PH.D., MLS, Charles Bessey Professor of Law and Psychology, University of Nebraska, on April 20, 2017
<https://www.spsa.org/index.cfm?fuseaction=document.viewdocument&ID=3F28EB86AE4CA3BB2EE025BE0093BF042823F056816AB71314EC20F3FBE760F78A419D9A5BFC2C3737450814D3839CB6>

American Bar Association’s Task Force on Building Trust in the American Justice System

The ABA created the task force in July 2016 and adopted the following report in February 2017. It calls on bar entities to 1) encourage the adoption of best practices for reforming the criminal justice system; build consensus about needed reforms and work to carry them out; and educate the public about how the criminal justice system works.

https://www.americanbar.org/content/dam/aba/administrative/office_president/2_8_task_force_on_building_trust_in_american_justice_system.authcheckdam.pdf

You may wish to review information about some of the following programs that lend “evidence-based” solutions to some of the problems found in the criminal justice system. You may also wish to conduct research with your students regarding other innovative programs that are being implemented in criminal justice fields around the world.

Problem-Solving Courts in Nebraska

Includes Drug and other Problem-Solving courts governed by the Nebraska Supreme Court Committee on Problem-Solving Courts

<https://supremecourt.nebraska.gov/courts/problem-solving-courts>

Teen Courts

National Association of Youth Courts

This association is “dedicated to providing leadership for a restorative justice model of early intervention so that young people have access to services without formal processing in traditional juvenile justice systems.” In this model, teens charged with certain types of offenses can be sentenced by a jury of their peers.

www.youthcourt.net

Teen Court – Sarpy County

For first-time juvenile status or law violators, the program allows juveniles to go through a branch of Diversion instead of going to Juvenile or County Court. Juveniles who successfully complete Teen Court do not have a conviction on their records.

<https://www.sarpy.com/justice-public-safety/teen-court>

Restorative Justice

For juvenile offenders, it is hoped that through Restorative Justice practices, they will be able to understand the impact of their behavior and accept responsibility for their actions. In addition, family and community members can help the youth express remorse and take action to repair damage, which can aid youth in becoming valued members of the community.

<https://supremecourt.nebraska.gov/programs-services/mediation/restorative-justice>

After studying some of the problems faced by courts and corrections in Nebraska, you may wish to contact your state legislator with ideas for “being smart on crime.”

Find your Senator and District

https://nebraskalegislature.gov/senators/senator_find.php

A textbook covering criminal justice topics might include some of the following discussions:

Crime

- Types of crime
 - Crimes against persons
 - Crimes against property
- Gangs and crime
- Guns
- Drugs
- Crime Victims/Victims’ rights
- Terrorism

Police

- Investigation
 - Search & Seizure
 - Interrogations/Confessions/False Confessions
 - Eyewitness Identification
- Arrest

The Criminal Case

- Proceedings Before Trial
 - Booking & Initial Appearance
 - Bail and Pretrial Release
 - Information
 - Preliminary Hearing
 - Grand Jury
 - Felony Arraignment and Pleas
 - Pretrial Motions: The Exclusionary Rule
 - Plea Bargaining

The Trial

Defenses

- Right to trial by jury
- Right to speedy and public trial
- Right to compulsory process and to confront witnesses
- Freedom from self-incrimination
- Right to an attorney
- Criminal appeals

Corrections

- Sentencing
- Parole

Juvenile Justice

- Types of Offenses
- Steps in a Juvenile Case
- Rights of Juveniles

If you wish to go into more depth in the study of criminal justice, you may be interested in the following textbooks, available for purchase from Bar Foundation colleagues in the field of Law-Related Education:

Constitutional Rights Foundation

Criminal Justice in America

<http://crf-usa.org/materials-catalog/criminal-justice-in-america-textbook.html>

Street Law, Inc.

Street Law Textbook – Ninth Edition, 2016

http://streetlaw.org/en/publications/street_law_textbook

Law Day Activity Resources are provided by the Nebraska State Bar Foundation and the Nebraska Supreme Court

