

LAW FOR POLICE AND YOUTH

A Training Guide for School Resource Officers
Version 2.0



**South
Carolina
Bar**

*Co-written by the SC Bar Law Related Education Division
and SC Bar Young Lawyers Division*

A letter from the SC Bar LRE Committee Chair

Dear School Resource Officer:

As Chairman of the South Carolina Bar's Law Related Education Committee, it is my pleasure to introduce you to the new Law for School Resource Officers manual. The manual was established to enhance the education of South Carolina students by giving School Resource Officers (SRO's) intense and focused lessons to address a variety of criminal justice and crime prevention matters in the school setting. We appreciate your willingness to participate in this program, and we trust that you will find it both enjoyable and effective.

The mission of the Bar's Law-Related Education Division is to educate students on their rights and responsibilities as citizens in a free society. To further that mission, we offer a host of programs and tools for SRO's and teachers, including We the People, Project Citizen, and Mock Trial. We welcome your interest in any of these programs, and we would be delighted to help you support the introduction of these programs to your local community. You may explore the opportunities offered by the LRE Division by visiting our website (www.sccbar.org/lre) or by asking any member of the Bar's LRE staff for more information.

The Law for School Resource Officers manual was a direct result of a partnership with the Young Lawyers Division of the South Carolina Bar, and the Law Related Education Committee of the South Carolina Bar. We also received substantial support from a dedicated group of long time teacher volunteers for which we are deeply thankful.

Thank you again for your participation in this program and your service to our State and our young people.

Judge Jack Landis, Chair
Law Related Education Committee
South Carolina Bar

A letter from the SC Bar YLD President

Dear School Resource Officers:

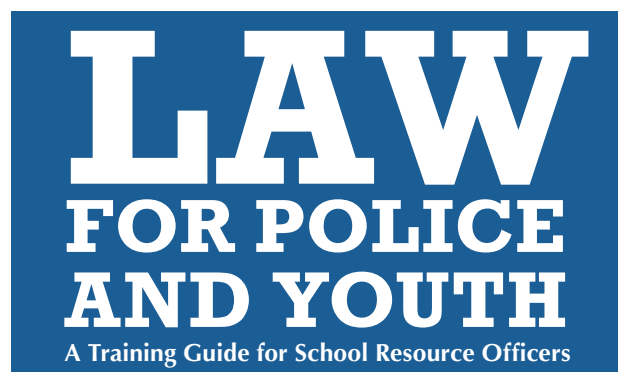
Thank you for your commitment to providing security and crime prevention services in schools across South Carolina. We hope that this manual will give you tools to guide your students, who are our young citizens and future leaders, about their rights and responsibilities under the law as well as the importance of abiding by those laws. The purpose of this manual is to provide you with vital information on topics that have consistently been discussed on news broadcasts around the state and the country, from the rule of law, to cyberbullying, to racial profiling, to traffic stops, to alcohol risks and liability.

Educating our community about the law is a key mission for both the Law Related Education Committee of the South Carolina Bar and the Young Lawyers Division (YLD) of the South Carolina Bar. In fact, one of the two primary goals of the YLD is to serve the public, and the YLD has over 16 committees dedicated to this goal. Over 30 young lawyers assisted in researching and drafting the chapters of this manual, and the Law Related Education Committee assisted in editing those chapters and finalizing the manual for your use.

With over 3,000 members, the YLD is a professional service organization comprised of all members of the South Carolina Bar in good standing under 36 years of age, or those admitted to the South Carolina Bar as their first bar within the past five years. On behalf of the YLD, I extend our thanks to you and the scores of educators, judges, teachers and other volunteers who selflessly give of their time and talents to make the students of South Carolina educated citizens and productive members of our community.

Sincerely yours,

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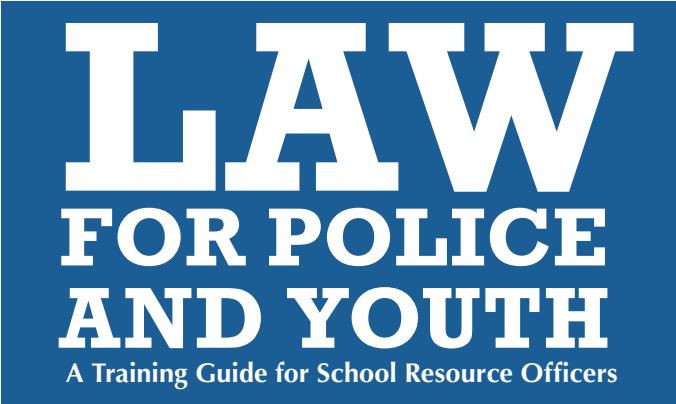


Table of Contents

Teaching Strategies 9

Rule of Law 15

Writing Good Laws 23

Introduction to Criminal Law 37

Policing and the Rule of Law 47

Use of Force 55

Community Policing 61

School Searches 69

The Fourth Amendment: Police Searches and Seizure 87

Bullying 103

Cyberbullying 113

Child Abuse 127

Dating and Sexual Assault 133

Arson 145

Cybersecurity 155

Firearms in South Carolina 163

Vandalism 177

Traffic Stops in South Carolina 199

Underage Drinking 213

Responsibilities During an Arrest 225

The 411 on Being a Good Witness 235



Teaching Strategies



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Teaching Strategies

Interactive teaching strategies are a hallmark of good Law Related Education. They also make teaching a lesson with students go far easier for the instructor. Studies have shown the more variation in teaching style and strategies, the more information students will retain and for longer periods of time. With that in mind, the following strategies are recommended when working with students and this training manual.

Brainstorming

Brainstorming is a type of teaching strategy commonly found throughout school systems, and one in which most SROs have experience during their own education, or through trainings in their careers. Brainstorming is an opportunity for the class as a whole to throw out as many ideas or thoughts about a given topic as possible within a defined time period (usually three to five minutes per topic with middle and high school students). It is important to keep the energy of the room up and allow for all spontaneous comments to be added to the board or flip chart. Once all comments have run out, the class and the SRO address each one. Many ideas and thoughts may be “outside the box,” and this is to be welcomed. Neither the SRO nor the students may criticize any individual thought. It is necessary to address why an idea might be wrong or not a workable solution, but not to criticize the student suggesting the idea.

Carousel

The carousel activity can also be thought of as a type of speed brainstorming. In this teaching strategy, the SRO sets up the room in advance (or at least the large flip chart pages) with a minimum of five and a maximum of 10 pieces of paper or flip chart paper, each with a different question or theme relating to the lesson being taught. These pieces of flip chart paper are then placed on the wall around the perimeter of the room. Next, the SRO breaks the class into groups of students and stations each group at a different flip chart page. Following this, the SRO provides a different color magic marker to each group, which helps the SRO easily identify each group writing at the different stations in case something off topic or inappropriate is posted. Once everyone is in position, the SRO provides the following instructions:

I have placed each group with a flip chart containing a statement about our lesson today. Each group should nominate one person to write on the flip chart using the marker I have provided. For the next minute, I want you to write anything you can think of about the issue in front of you. After the minute is up, I will say time. When I say time, each group will move to the next station clockwise around the room to your right. When each group is in place, you may write at the next board for one minute. This will continue until all groups have had an opportunity to write at each board.

Once the groups have moved around to all the stations, pick one student to serve as the reporter for each group. All other students may sit down at that time. This activity allows you to have between 15 and 30 different ideas on multiple topics at a time in under 10 minutes of class time. This strategy is also an excellent means for the SRO to see what students do and do not know about any particular topic. Some responses will not be accurate information, which is ok. It is at this moment the SRO should correct any inaccurate responses.

Case Study

A case study is an opportunity for students to see how the law plays out in a real world scenario. Students are given the content of a law, and then a fact pattern. Individually, or in small groups, students must work through the fact pattern and answer questions about the application of law to the fact pattern. After the students have reached their conclusions on the fact pattern, the SRO shares with the students the result of the case in the court system and answers any additional questions about the case.

Chalk Talk

Chalk Talk is a teaching strategy that shows its age, but still remains an effective tool for the classroom. With this strategy, the SRO will write a fairly dramatic statement on the white board at the front of the room to start the class period. For the first three to five minutes, students may not talk to the SRO, or to each other, but they may write any thoughts they have about the statement on the white board. Oftentimes a student will return to the board more than once as statements from other students create additional thoughts to go up on the board. At the end of the predetermined time, the SRO will address the statements written by the students and utilize that time as a jumping off point into the lesson.

Concentric Circles

Concentric Circles is a teaching strategy used to allow students to discuss questions in pairs (usually true/false questions), come to a conclusion, and then share their opinion and reasoning. This is also a strategy used to take students out of their normal comfort zone and force interaction with everyone in the classroom.

To utilize this strategy, the SRO will count off all the students in the class as “1s” or “2s”. All the students who are 1s will form a circle facing outward. All the 2s will make a circle facing inward. This should allow for all students to be facing each other around the circle making pairs. If there is an odd number of students in the class, then there will be one grouping of three as you go around the circle. Once students are in the two circles facing one another in pairs, the SRO will read a question. The students have up to a minute to discuss and answer for themselves. After time expires, the SRO calls on different pairs to share their answer. After the question has been answered, the SRO shares any additional information with the class.

When the first question is completed, the SRO selects either the inside circle or outside circle to stay in place. The other circle is then instructed to move a certain number of positions around the circle. For example the SRO might say “Inside circle stay put, outside circle move four places to the left.” This allows for the students to now be paired up with someone different. Do this following each question, being sure to alternate which circle moves, and vary the number of places to move each time. Students generally enjoy the opportunity to move around and talk with classmates. This movement takes students out of their normal comfort zone as students will be paired off with other students in their class with whom they do not normally interact. This activity also encourages full classroom participation.

Concept Map

Concept mapping may be done in a couple of different ways when working with students. The two most common ways are concept mapping with words, and graphical representation concept mapping. Both are acceptable and encouraged in the classroom setting when working with this manual.

In the traditional concept map with words, groups of students with a piece of paper or flip chart paper start out with a word or phrase in the center of their page, and connect other words and phrases to the original in order to flesh out the original word or phrase. For example if the word was crime, then associated words such as felony, misdemeanor, status offense, murder, robbery, etc. would all be acceptable tie-in words. It might also be a good idea to demonstrate with the students using this same example so they understand the assignment.

In the graphical representation of concept mapping, the SRO will utilize and highlight the artistic students in the classroom. At times these can be the students in the room who have extensive doodles on their pages and notebooks. With this approach, these students become the star of the group activity. In this format, students are still broken into groups and a phrase or word is placed at the top of the flip chart paper. Once in their groups, students will create artwork to represent the word or phrase at the top of their page. For example, if Safe Schools is posted at the top of the flipchart page, students might draw a school with separate teacher and student parking, good lighting, a police car parked near the entrance, fencing at the perimeter, etc.

Continuum

A continuum activity is an excellent way to dive into establishing what students do and do not know about a given lesson or topic. This activity allows students to move on a spectrum between two extremes.

For example, in the lesson on Introduction to Criminal Law, the SRO may use the two extremes of “Serious Crime, Serious Problem,” and “Not a Crime, Not a Problem.” In this example, the middle point of the room would have “Crime but Not a Big Deal,” and “Not a Crime, but Not a Good Idea” as their respective sides of the middle point in the continuum.

The continuum teaching strategy may be done in one of three ways. First, the students may complete the continuum activity as a lesson handout in which they place the letter for each of the different scenarios on a continuum on the handout itself. Second, the SRO may mark the two extremes and midpoint on the white board and call on students to suggest where each scenario would fall between the two extremes. Finally, the SRO may place the two extremes on opposite walls of the classroom and mark a midpoint in the room. The SRO will then read each scenario, and the students will move to the place between the two extremes that represent their own belief on the scenario.

Each One Teach One (EOTO)

Each one teach one is a teaching strategy used to put forth what would otherwise be dry information or a series of facts students should learn. In this strategy, prior to class, the SRO will prepare a series of index cards. Each index card will contain a single fact about the lesson students should learn. At the start of class, the SRO will distribute cards to students throughout the room. After the cards are distributed, students may walk around the room, introduce themselves to other students, and share their fact. Once time has expired, the SRO will call on students to share what they learned from their classmates. In the alternative, the SRO may offer a prize to the student who can remember the most facts from other students without having written notes.

Icebreakers

Icebreakers can be simple and fun tasks for students to work together or compete against each other to win prizes. Icebreakers are not usually tied directly to the lesson, but rather are meant to loosen the students up and get them motivated to work with the SRO on the impending lesson. All lessons of this manual should make use of icebreakers. In addition to those, more may be found at <https://youthgroupgames.com.au/youth-group-icebreaker-games> and <http://www.jubed.com/search/ice-breaker>

Information Bingo

Similar to the concept of each one teach one above is the strategy of information bingo. Students are each given an index card with a single fact on it. Students are also given a bingo page which has all the facts arranged on the bingo grid. As students move around the room to share their facts with one another, each student may sign or initial their fact on other student's bingo card. The first student to complete a straight line across the grid (vertical, horizontal or diagonal) wins a prize. Or with enough time, have the students cover all the facts on the bingo grid to win.

Kahoot

Kahoot is a website located at www.kahoot.com. Kahoot is a free interactive website for teachers and SROs to build quizzes for students in addition to other learning games. The SRO has the flexibility to build quizzes relevant to the lesson being taught and the particular learning abilities of the students the SRO is working with. This site excels as an evaluation tool as to what the students learned during the lesson. If the SRO is in a school in which cell phones are allowed or in which tablets are issued, there is a specific app which allows students to answer the quiz in real time and compete for a high score amongst their class.

Moot Court

Moot court is an opportunity for students to not just read about a Supreme Court case, but to actually work through the materials and make arguments in an already decided case. To start this activity, the SRO picks a Supreme Court case from the materials of the lesson. The overview of the case, but not the decision, is shared with all students. After sharing the overview of the case, the SRO will call on students to seek their opinion on the case. Based on the opinions of the students, the SRO will divide up the class into groups to represent the appellant, respondent and the Supreme Court. Appellant and respondent groups will have a short period of time to prepare their arguments before the court. The Supreme Court group of students will call the trial to order, and then each side has the opportunity to provide an opening statement, a case in chief and a closing argument. During the case in chief, the justices may question either side about the case as it is presented. Once both sides have presented their closing arguments, the justices group meets and comes to a conclusion or ruling of the court.

Additional case materials outside of this text may be found at www.landmarkcases.org and www.sctbar.org/lre.

Journaling

Journaling is a teaching strategy to have students reflect on the learning that took place during the lesson with the SRO. At the conclusion of the lesson and during the closing, allow the students to write a few sentences about the lesson they just went through. This provides an opportunity to ask additional questions that individual students might not have felt comfortable asking in front of their peers. Students may also offer up things they enjoyed or did not like about the lesson. It is not about a right or wrong answer, but rather an opportunity to evaluate what the students learned and how the lesson affected them.

Role Play

Role play is a teaching strategy that utilizes students to act out a scenario in order to bring to life a situation the students have read about. In this situation, students are encouraged to feel, think and act like another individual as they work through a scenario. This provides the opportunity to practice responding to difficult situations and to encourage students to consider alternative courses of action to solve the scenario they are acting out. With this teaching strategy, it is important to have good ground rules from the beginning as to acceptable behavior. Examples of ground rules and acceptable behavior include no forcing another student to move from one place to another; no more than two finger touch if required for the role play activity; no shouting or raising of voices; and should a scenario require an arrest, there is no resisting arrest. As this strategy may be used in a variety of lessons in which the role play itself would involve students potentially “arresting” other students, it is important that everyone understands how much contact between students is acceptable. In closing, while a valuable teaching strategy, this is also a teaching strategy with risks if students do not have good ground rules to start.

Small Group Discussion

Small group discussion is one of the two most commonly used teaching strategies along with whole group discussion. The ideal setting for a small group discussion is between three and five students. Utilizing small group discussion allows for students to work on not just the question posed to their group, but also on interpersonal skills as they work together. In small groups, students should work on either one central question, or a series of questions. It is important to allow for differences of opinion within the group, and if not resolved, the small group should explain why members held differing opinions.

Snap Debate

A snap debate allows students to argue pros and cons of a topic with the SRO without the potential for the conversation to become heated between the students. As part of the snap debate process, students from both sides of the debate are addressing the SRO and never directly addressing each other.

To conduct the snap debate, offer a scenario or legal argument to the students. Allow a few minutes for discussion and for the students to decide which side they would prefer to be on. Next, divide your class in half and assign a team leader for each side. Have the team leader distribute roles as follows: opening, persuasive argument, rebuttal argument, questioner or answerer, and closing argument. Note: more than one student may fill each role.

Description of Roles:

Opening Argument: (1 minute per side) Explains the basic argument for their side.

Persuasive Argument: (2 minutes per side) Delivers the most compelling evidence to support their side’s position.

Rebuttal: (2 minutes per side) Argues against the persuasive arguments of the other side.

Question and Answer Session: (6 minutes total): Have each side ask a question of the other side. One student should answer. Then move on to the next question, alternating sides, until each side has asked and answered at least 3 questions. Note: Based on class size you may want to have more questioners and answerers.

Closing Argument: (1 minute per side): Speakers repeat the best arguments presented by their peers.

Whole Group Discussion

A whole group discussion is the other of the two most common types of teaching strategies. With a whole group discussion, ground rules are set from the beginning of the session. Good ground rules include students raising their hands to be called upon, and it is ok to disagree with classmates as long as it is done respectfully, with no laughing, calling names or whispering about another student. In a whole group discussion, the SRO starts the discussion with a central statement or question and then fields thoughts from the students in class. All students are encouraged to share their opinions, often with one thought evolving from the thought of a previous student. Ideally a recorder is nominated to take notes from the group discussion for further reflection.

Rule of Law



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Lesson Plan: Rule of Law

Overview	In this lesson students will be introduced to the rule of law and consider the consequences of how this effects a community. Students will examine factors that suggest rule of law is strong in a society.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define the term rule of law; 2. Identify important factors of the rule of law; and 3. Apply their understanding of the rule of law to their community.
Handouts	Handout 1 - What is the Rule of Law? Handout 2 - Important Factors of the Rule of Law
Presentation Slide/Flip Charts	A. Lesson Outcomes B. Definition of Rule of Law
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: What's a Law <i>10 Minutes</i>	<ol style="list-style-type: none"> 1. The SRO introduces him/herself and tells students that today they will examine the ways police officers and communities can respond to various situations. 2. The SRO will then ask students to share their perspective on society and the challenges of sustaining rule of law. They might ask these questions: <ul style="list-style-type: none"> • Why should ALL people be treated fairly by the law? • Why should leaders be held accountable to the same laws as all citizens? • Why should citizens be able to witness how laws are developed? • How are rights protected in our society? 3. Explain to students that this lesson will focus on an important concept in a democracy: Rule of Law. Use the following definition for the class: Rule of Law is the principle that <ol style="list-style-type: none"> 1. Those who are governed and those who govern must obey the law; 2. Law are fair and impartial; 3. People's rights are protected; and 4. Government is open to allow people to see laws are developed and administered.

Rule of Law, *continued*

<p>On “In the News”, Important Factors of The Rule of Law <i>25 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will distribute a copy of “In the News” handout and Rule of Law Factors to each student. 2. The SRO will briefly explain each Rule of Law Factors to the class. 2. Break members of the class into pairs. 3. Pairs will match one factor of the rule of law that relates to the each news story. 4. Pairs need to briefly explain their rationale for each match. 5. Ask students to share their responses to each news story. 6. Based on these situations, ask students who in the community must actively uphold rule of law and what are the potential consequences if they do not.
<p>Debrief <i>5 minutes</i></p>	<ol style="list-style-type: none"> 1. Ask a student or students to restate the definition of rule of law; 2. Ask students why the rule of law is important for both leaders and citizens; 3. Ask various students to briefly identify ONE important factor that demonstrates the rule of law
<p>Closing <i>5 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. “In the News” 2. Rule of Law Factors 3. Presentation Slide/Flip Chart Lesson Objectives 4. Presentation Slide/Flip Chart Rule of Law Definition

Handout 1 – In the News

Instructions: Read each news story with a partner. Find a factor from the “Important Factors of the Rule of Law” that matches the story and add it to the chart. Briefly explain why this factor applies to the news story.

News Story	Rule of Law	Rationale
A man is arrested by the police, but is not told what crime he committed. He sits in jail without trial. He has no access to a lawyer for assistance in his case.		
A police investigation discovers the governor of Illinois received money from a company who wanted him to sign a bill that will help their business. The governor is found guilty of bribery and sentenced to five years in prison.		
The state legislature wants to pass new laws on drug possession. It does not hold any public meetings and does not hold any committee hearings.		
A protest in the downtown business district starts to become violent. The police who are monitoring the protest intervene using tear gas to disperse the protesters.		

Handout 2 - Important Factors for Rule of Law

Government is Limited

The people who make and enforce the law do not have unlimited power and must obey the law.

People's Rights Are Protected

Fundamental rights are protected by law and are respected by the people.

Justice is Fair and Impartial

Justice is handled in a timely manner, the rights of the accused and victims are both protected, and judges and/or juries reflect the communities they serve.

Government is Open and Transparent

The processes of developing and enforcing the law is accessible to the public.

People are Secure

Laws are clear and protect the safety and property of individuals.

Slide/Chart - Lesson Objectives

As a result of the lesson, the student will be able to:

1. Define the term rule of law;
2. Identify important factors of the rule of law and;
3. Apply their understanding of rule of law to their community.

Slide/Chart - Rule of Law

Rule of Law is the principle that

- 1.Those who are governed and those who govern must obey the law;
- 2.Laws are fair and impartial;
- 3.People's rights are protected; and
- 4.Government is open to allow people to see laws are developed and administered.

Writing Good Laws



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Lesson Plan: Writing Good Laws

Overview	This lesson focuses on the application of laws and discusses what elements are necessary to create good laws in South Carolina.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define a law as it relates to the student's daily life. 2. Differentiate between well written and poorly written laws. 3. Describe how laws are created in South Carolina.
Handouts	Handout 1: No Weapons at School Handout 2: Writing a Law Handout 3: Unusual Laws in the Southeastern United States
Presentation Slide/Flip Charts	"Dumb Law" video on Youtube https://www.youtube.com/watch?v=PnGowz-U2C8 Blue Laws online slide show http://justsomething.co/the-22-most-ridiculous-us-laws-still-in-effect-today-2/
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: What's a Law <i>5 Minutes</i>	Ask the class what "Law" means. Write their answers on board. Then write the definition of "Law" on the board: A law is a rule that binds all people living in a community. Laws protect our general safety, and ensure our rights as citizens against abuses by other people, organizations and even from the government itself.
How Do Laws Impact Your Daily Life as a Student/Adult - Interactive Activity <i>25 Minutes</i>	Activity 1: Activity 1: In their groups have students list 10 laws that impact their lives on a daily basis from the time they get up until the time they go to bed. You may want to give them an example like "Are there laws that govern riding or driving in car?" Give them about 15 minutes to complete. Have one person in the group share their examples. Write 2 columns on the board: "School Rules" and "Laws." As they list responses discuss whether any are rules instead of laws. Explain the difference between a rule and law. Ask students: Are the purposes of these laws/rules to protect you or to restrict you? Why do you think that is?
What Guidelines or Values should be Used When Creating Laws: -Handout 1 -Handout 2 <i>20 Minutes</i>	Ask students what guidelines should be used when making laws? What factors should be considered? (Protect us/Restrict Behavior/Limits just some examples) Activity 2: Look at some recent laws that are meant to protect or restrict certain behaviors. Discuss whether they go too far. Why or why not? NY: Recently banned sale of extra-large sodas or sugar filled drinks. A city in Miss: Recently passed a law banning saggy pants under "indecent exposure." Little Rock, AK is entertaining a law prohibiting walking and texting. Now ask students what South Carolina laws they would get rid of if they could and why.

Writing Good Laws, *continued*

How Are Laws Written in South Carolina?

-Presentation Slide/
Flip Chart

-Continuum Activity

20 Minutes

On the smartboard, put up a flowchart of how a bill becomes a law in our state. (Member of House or Senate gets an idea for a new law and then drafts a bill. The bill is presented to the body of its origin for discussion and approval. If majority approves, it goes to the next legislative body. Again, if it gets majority approval, it goes to the Governor for signature.)

Discuss "Writing a Good Law." Ask students what they think makes a good law. Then explain a "good" law should be clear, necessary and easily enforceable. Show them the following laws and ask if they are "good" or not:

SECTION 56-1-25. Disclosure of confidential information during transfer of power to Department of Motor Vehicles.

It is unlawful for a person to disclose any confidential information which belongs to the Department of Public Safety Motor Vehicle Division to an individual or entity that is not permitted to have access to the information during or after the transfer of the confidential information from the Motor Vehicle Division to the Department of Motor Vehicles. A person who violates a provision contained in this section is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than one year and fined not less than one thousand dollars.

SECTION 59-1-320. Display of United States and State flags.

The State Board of Education shall make such rules and regulations, not inconsistent with the National Flag Code, for the display of the flag of the United States of America and for the display of the flag of the State at public schools. The person at the head of any public school in the State shall display the flag of the United States and the flag of the State at such times and at such places under such restrictions and rules as may be adopted by the State Board of Education.

Share with the students that a "good" law is well written, necessary and easy to enforce.

1. Well Written.

A well written law has the following qualities: clarity, understandable, brief and stable. Meaning, the law is written in such a fashion as to allow the reader to clearly understand what the law requires and the consequences for breaking the law, without being overly long and tedious to read and comprehend.

2. Necessary.

A law that is necessary is one that solves a real problem. Meaning the intent behind the law is to address and handle an issue. For example, robbery and burglary laws are designed to address the issues of theft. The intent behind theft laws is to ensure the protection of people's property and to punish those who steal.

3. Easy to Enforce.

All laws give instructions for what is to be done if the law is broken. "Good" laws are written in a clear manner so those enforcing the laws are able to clearly distinguish between actions that are permitted under the law and those that are forbidden under the law.

Activity 3: Now they will get back in their groups and do the first "No Weapons at School" activity, which requires them to rewrite the law to make it better. Give them about 20 minutes to do this activity. Following the activity, you should have the groups share how they adapted the law to make it better.

Writing Good Laws, *continued*

Closing
5 Minutes

The SRO will thank the students for their time and answer any additional questions about writing good laws.

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define a law as it relates to the student's daily life.
2. Differentiate between well written and poorly written laws.
3. Describe how laws are created in South Carolina.

Handout 1 - No Weapons At School

The law seems clear, but there have been disputes regarding its interpretation. Work with your group to interpret the law in the following cases, keeping in mind both the plain language of the law, as well as the legislative history.

In each of the following scenarios, examine whether:

- A weapon was involved
- The law was violated
- What should be done

1. An assistant principal lives a long way from the school. He is departing for a fishing trip right after school on a Friday afternoon and leaves the pocket knife he uses for fishing in the tackle box in his truck.

2. Local law enforcement arrives at the school to assist with conducting a fire drill. The officers each have a sidearm and taser on their duty belts while assisting in the fire drill

3. Jackson, the class president, brings his dad's new karate stick to class for show-and-tell. He does not swing the stick in any threatening manner, and does not allow other students to play with it.

4. A mother has a permit to carry a gun, and keeps the gun in her locked glove compartment while dropping-off and picking-up her daughter from school.

5. It rained on New Year's Eve, and Ryan and Mary had unused sparklers they were going to light with their friends and family for the occasion. Instead, the first day back from holiday break, they decided to bring the sparklers to school to light after classes concluded for the day.

6. Juan Perez, a famous local chef, was asked to do a cooking demonstration for the culinary arts class. He handed out 10 plastic butter knives to students so they could walk through the cooking demonstration with him.

7. Anna brings to Spanish class a decorative, painted hatchet that she recently bought on her family's vacation to Toledo, Spain.

8. John wears a long, dark coat to school. Sewn to the back of the jacket is a printed graphic that says, "Guns don't kill people, I kill people."

Presentation Slide/Flip Chart B: What Makes a Good Law

1. Well Written.

A well written law has the following qualities: **clarity, understandable, brief, and stable.** Meaning, the law is written in such a fashion as to allow the reader to clearly understand what the law requires and the consequences for breaking the law, without being overly long and tedious to read and comprehend.

2. Necessary.

A law that is necessary is one that solves a real problem. Meaning the *intent* behind the law is to address and handle an issue. For example, robbery and burglary laws are designed to address the issues of theft. The *intent* behind theft laws is to ensure the protection of people's property and to punish those who steal.

3. Easy to Enforce

All laws give instructions for what is to be done if the law is broken. "Good" laws are written in a clear manner so those enforcing the laws are able to clearly distinguish between actions that are permitted under the law and those that are forbidden under the law.

Handout 2 – Writing a Law

After discussing the legislative process of how a law is made and the characteristics of a “good” law, it is time to put what was learned into action.

Based upon the discussed characteristics above, students should attempt to re-write an already existing law in an attempt to make it better. Students should break up into groups and attempt to rewrite the “No Weapons at School Law”.

South Carolina law prohibits weapons to be carried on any school property. Here is the relevant statute in its entirety:

SECTION 16-23-420. Possession of firearm on school property; concealed weapons.

(A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a weapon in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms "premises" and "property" do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23 when upon any premises, property, or building that is part of an interstate highway rest area facility.

Questions: The exercise is not meant to take a long time to complete. Once the students have rewritten the No Weapons at School Law, ask them the following questions.

1. Was it difficult to rewrite the law? Why? Or Why Not?
2. What was the most challenging aspect of writing the law?
3. Do you think the law you wrote would be effective?
4. Do you think your law would meet the criteria of a "good" law?
5. Is your law going to be easily enforced?

Handout 3 – Unusual Laws in the Southeastern United States

FLORIDA

- Women may be fined for falling asleep under a hair dryer, as can the salon owner.
- A special law prohibits unmarried women from parachuting on Sunday or she shall risk arrest, fine, and/or jailing.
- If an elephant is left tied to a parking meter, the parking fee has to be paid just as it would for a vehicle.
- It is illegal to sing in a public place while attired in a swimsuit.
- Men may not be seen publicly in any kind of strapless gown.
- You may not fart in a public place after 6 PM on Thursdays.
- Horse theft is still punishable by hanging.
- All residents had to wear clothing while bathing in a bathtub
- In Jacksonville, turtle racing is against the law within city limits.
- It is illegal to skateboard without a license.
- The state constitution allows for freedom of speech, a trial by jury, and pregnant pigs to not be confined in cages.
- Corrupting the public morals is defined as a nuisance, and is declared a misdemeanor offense.
- Doors of all public buildings must open outwards.
- It is illegal to sell your children.
- It is considered an offense to shower naked.
- You are not allowed to break more than three dishes per day, or chip the edges of more than four cups and/or saucers.
- In Miami, it is forbidden to imitate animals.
- It is against the law to put livestock on a school bus.

GEORGIA

- It is illegal to use profanity in front of a dead body which lies in a funeral home or in a coroner's office.
- You have the right to commit simple battery if provoked by "fightin'" words.
- In Kennesaw, every head of household must possess a firearm of some kind.
- In Atlanta, one man may not be on another man's back.
- Signs are required to be written in English.
- No one may carry an ice cream cone in their back pocket if it is Sunday.
- In Quitman, it is illegal for a chicken to cross the road.

- Beach lifeguards had to wear bright red bathing suits and a harness around their necks connected to a 200-foot-long lifeline
- In Atlanta, it is illegal to tie a Giraffe to a telephone pole or a street lamp.
- It is against the law to slap a man on the back or front.
- It is illegal for a barber to advertise his/her price.
- If an organization non registered as "non-profit" fails to register their raffle with the local sheriff, that group risks paying up to \$10,000 in fines and spending five years in jail.
- While Georgia operates its own lottery, it "protects" its citizens by making it illegal to promote a private lottery.
- Members of the state assembly cannot be ticketed for speeding while the state assembly is in session.
- In Georgia, it's against the law to spread a false rumor.
- Donkeys may not be kept in bathtubs.

NORTH CAROLINA

- It was illegal to sing out of tune.
- It is illegal to plow a cotton field with an elephant.
- It was illegal to possess a lottery ticket and possession of one could result in a \$2,000 fine.
- It is illegal for dogs and cats to fight.
- No one may be a professional fortune-teller, and if one wishes to pursue the practice as an amateur, it must be practiced in a school or church.
- If a man and a woman who aren't married go to a hotel/motel and register themselves as married then, according to state law, they are legally married.
- Persons in possession of illegal substances must pay taxes on them.
- A three dollar tax must be paid on all white goods sold.
- Organizations may not hold their meetings while the members present are in costume.
- Bingo games may not last over 5 hours unless it is held at a fair.
- Serving alcohol at a bingo game is not allowed.
- It is against the law for a rabbit to race down the street.

SOUTH CAROLINA

- It is illegal to act in an obnoxious manner at a girls school.
- By law, if a man promises to marry an unmarried woman, the marriage must take place.
- Railroad companies may be held liable in some instances for scaring horses.
- A railroad may not remove itself from a town of more than five hundred people.
- Fortune tellers are required to obtain a special permit from the state.
- Dance halls may not operate on Sundays.

- Musical instruments may not be sold on Sunday.
- Performing a U-turn within 1,000 feet of an intersection is illegal.
- Horses may not be kept in bathtubs.
- A permit must be obtained to fire a missile.
- When approaching a four way or blind intersection in a non-horse driven vehicle you must stop 100 ft from the intersection and discharge a firearm into the air to warn horse traffic.
- Every adult male must bring a rifle to church on Sunday in order to ward off Indian attacks.
- It is a capital offense to inadvertently kill someone while attempting suicide.
- A person must be eighteen years old to play a pinball machine.
- In the City of Beaufort it is illegal for an unescorted female to drive her carriage or horseless carriage on Main Street after dark.
- It is illegal to kiss in public, on a Sunday, before 1pm.
- It is illegal to wear clothing with a hidden pocket or to wear a jacket that covers the hip pockets on your trousers. [Enacted during prohibition to prevent the carrying of hip-flasks.]

Introduction to Criminal Law



South
Carolina
Bar

LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
Introduction to Criminal Law

Overview	This lesson focuses on introducing criminal law to students. This includes defining what is a crime within the laws of the State of South Carolina, identifying the differences between felony and misdemeanor, categories of crime, and differences between juvenile and adult court.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define crime as set forth by the State of South Carolina 2. Differentiate between criminal and civil matters 3. Differentiate between felony and misdemeanor crimes 4. Describe categories of crimes 5. Explain what the juvenile justice system is and why it is different from the adult court system
Handouts	Handout 1: Actus Reus and Mens Rea Handout 2: Levels and Types of Crimes Handout 3: Categories of Crimes
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Types of Crime
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Icebreaker and Lesson hook: Scenario <i>5 Minutes</i>	Icebreaker: Tell the class the following story: Jess & Ian rob a grocery store with guns. As they leave the store, they run into Mac and his 7-year old daughter. Mac happens to be a police officer. Jess runs. Mac pulls his gun, and Ian shoots at Mac. Instead of hitting Mac, Ian's bullet kills the 7-year old daughter. Now ask them: What crimes were committed in this case? Was Jess guilty of murder, even though she ran?
What is a Crime - Contiuum Handout - Interactive Activity <i>25 Minutes</i>	Ask students to define what a crime is. Write their responses on the board. Then tell them a crime is committing an act the law prohibits, or, in some cases, failing to commit an act that the law requires. There are federal, state and city crimes. If something is a federal crime, it is a crime in every state. Discuss marijuana as an example. (Even though some states have approved its use in various capacities, the federal government can still step in and make arrests.) Which brings us to each state and city - they have their own laws and decide how they want to punish people who break them. A person can be convicted of a crime if the prosecution can prove mens rea (that the accused had a guilty mind/or the intent to commit the crime) and actus reas (that the accused committed the act). <i>Activity 1:</i> Using the continuum teaching strategy, have students answer questions from handout 1 about crime in South Carolina. The continuum exists with four points on a spectrum in which students can place their answers. They are "Serious Crime," "Crime but not a big deal," "Not a crime, but not a good idea," and "Not a crime, not a problem." Discuss with students why the government prosecutes/punishes people who commit crimes. Society shapes laws against crime.

Introduction to Criminal Law, *continued*

<p>What is a Crime <i>Continued</i></p>	<p><i>Activity 2:</i> (students may use their devices to research): Think about the 1950s - what problems do you think existed? What laws came about during that time period? Now think about today's society. What problems exist now? What laws were added to address our current issues?</p>
<p>Kinds of Crime</p>	<p>There are various kinds or levels of crime. The main ones we will focus on are misdemeanors and felonies; however, there are a few others too. You can make a chart or PowerPoint to display the classifications of various crimes on the board.</p> <p>The lowest level of crimes includes various violations, which are usually punishable by a fine. Typically, you will get a summons or ticket for these offenses. For example, littering.</p> <p>A misdemeanor is a more serious crime punishable by less than 1 year in jail. For instance, simple possession.</p> <p>A felony is a serious crime punishable by sentences of over 1 year in prison up to the death penalty. For example, murder.</p> <p>Additionally, there are crimes of omission that occur when you don't do something. For instance, file your taxes.</p> <p>Lastly, there are crimes of attempt. It is illegal to even attempt a crime. For instance, attempted murder.</p> <p><i>Activity 2:</i> Give them the following examples of crimes and have them determine what kind it is:</p> <ol style="list-style-type: none"> 1. No fireworks after 11 p.m. 2. Hit and run 3. Manslaughter 4. Assault & Battery 3rd
<p>Actus Reus and Mens Rea</p>	<p>Committing a criminal act alone is usually not enough for a defendant to be convicted. Conviction usually requires that the defendant have a guilty mind while committing that act. The one exception is when the crime in question is a regulatory offense.</p> <p>Actus reus is the action component of a crime, and the phrase means "guilty act" in Latin. It is "the wrongful deed that comprises the physical components of a crime and that generally must be coupled with mens rea to establish criminal liability" (Black's, 1999, p. 37). For example the actus reus of theft is the taking of property without the owner's permission. In the crime of murder, the actus reus is the conduct of the murderer that brings about the victim's death. The presence of actus reus – or criminal behavior - is necessary for a crime, but is not sufficient by itself. It must be coupled with the defendant's guilty mind, or mens rea (Black's, 1999).</p> <p>Mens rea is the mental component of a crime, and the phrase mens rea means "guilty mind" in latin. Mens rea is "[t]he state of mind that the prosecution ... must prove that a defendant had when committing a crime." (Black's, 1999, p. 999). For example, the mens rea for theft is intent; the prosecution must show that the defendant intended to deprive the rightful owner of the property. It is not enough for the prosecution to show only that the defendant accidentally took someone else's property. The mens rea for murder is also intent. The prosecution must show that the defendant intended to cause death. (Black's, 1999). If the prosecution fails to show intent it may still be possible to convict the defendant of a different crime, but not murder.</p>

Introduction to Crime in South Carolina, *continued*

<p>Actus Reus and Mens Rea <i>Continued</i></p>	<p>There is one exception to the guilty act and guilty mind requirement - regulatory offenses. Also known as public-welfare offenses, regulatory offenses are minor offenses. They are established by statute and they have no mental state (mens rea) requirement. These crimes involve no moral delinquency, but are intended only to secure the effective regulation of the conduct, in the interest of the community. Examples include driving a car with one brake light missing, and speeding (Black's, 1999).</p>
<p>Categories of Crime</p>	<p>Crimes are divided into two categories: crimes against property and crimes against people. Crimes against people are crimes where a person is a victim. For instance, taking a person's life or homicide, which is the most serious crime against a person. If you look back at the Icebreaker, the answer is yes, Jess can be charged under the felony murder rule. Under that rule, if anyone dies in the commission of a felony, all participants in the felony can be charged.</p> <p>Crimes against property are crimes that harm things people own. For instance, acts of vandalism like breaking windows or smashing mailboxes. Looking back at the Icebreaker, Jess and Ian committed armed robbery.</p> <p>Activity 3: Students will look at the following scenarios and determine whether they are crimes against people or property.</p> <p><u>Scenario 1:</u> Jen and Rachel go into Target. As they are walking around, Jen tries on some sunglasses. They go about their shopping and check out. When they get in the Jen's car, she realizes the sunglasses are still on her head. She says, "What luck!" and they leave.</p> <p><u>Scenario 2:</u> Greg and Ricky are playing flag football. Out of nowhere Christian tackles Ricky. Greg takes offense and punches Christian in the face.</p> <p><u>Scenario 3:</u> Angie and Sara are really upset with William. They decide that in order to get back at him they are going to burn down his beloved shed. They go to his house and douse it in gasoline, then they throw a match on it. Once they are sure it is burning, they leave. The shed burns down; however, William also dies because he was in the shed unbeknownst to Sara and Angie.</p>
<p>Juvenile Justice System <i>5 Minutes</i></p>	<p>In South Carolina a juvenile is considered anyone under the age of 17. There is a separate system for them. The goal of the Department of Juvenile Justice (DJJ) is to rehabilitate and help delinquent juveniles get on a better path. In South Carolina, these cases are heard through family court.</p> <p>There are also a number of diversion programs in our state, such as drug court and youth court. Almost any crime can be committed by a juvenile and dealt with in DJJ.</p> <p>There are also crimes called status offenses, which are crimes that can only be committed by juveniles. For instance, truancy. Ask students if they can think of some other crimes that fall into this category.</p> <p><i>Activity 4:</i> Students will get into small groups. Have each group come up with a program for rehabilitating juveniles. They should think about every aspect from who the program is for (boys/girls/both) to what its goal is and how they plan to go about achieving it.</p>
<p>Closing Activity <i>5 Minutes</i></p>	<p>1. The SRO thanks the students for their time and will ask students if they have any questions regarding the lesson.</p>

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define crime as set forth by the State of South Carolina.
2. Differentiate between criminal and civil matters.
3. Differentiate between felony and misdemeanor crimes.
4. Describe categories of crimes.
5. Explain what the juvenile justice system is and why it is different from the adult court system.

Handout 1 – Actus Reus and Mens Re:

Directions: Underline the *Actus Reus* element and Circle the *Mens Rea* element in each scenario. Remember Actus Reus is the “action” element of the crime and Mens Rea is the mental/intent element. *Extra Credit* if you can also name the crime!

1. Sara gets frustrated with J, she decides to smack him upside his head.
2. Angie is driving on Cane Bay Boulevard, she sees Ricky crossing the street. She is still upset that he left the Bay for its rival school. So Angie decides to rev her engine and drive toward Ricky. She accidentally hits him and he is injured.
3. Mac decides he wants Billy’s new gun. He makes a plan and breaks into Billy’s house to take the gun. Mac leaves with the gun.
4. Alyssa is a 14 year old girl. She goes into Harris Teeter and grabs some wine coolers. She goes to checkout and presents the clerk her sister’s ID saying she’s of legal age to purchase alcohol. The clerk sells the wine coolers to Alyssa. ****For this you are focusing on the CLERK/STORE, not Alyssa.****
5. Jay is 9 and upset that his parents took away his Wi-Fi access for a month. He packs a bag and decides to run away. Jay gets off the bus one afternoon and goes to Owen’s house without telling his parents.

Presentation Slide/Flip Chart B: Kinds of Crime

The lowest level of crimes includes various violations, which are usually punishable by a fine. Typically, you will get a summons or ticket for these offenses. For example, littering.

A misdemeanor is a more serious crime punishable by less than 1 year in jail. For instance, simple possession.

A felony is a serious crime punishable by sentences of over 1 year in prison up to the death penalty. For example, murder.

Additionally, there are crimes of omission which occur when you don't do something. For instance, file your taxes.

Lastly, there are crimes of attempt. It is illegal to even attempt a crime. For instance, attempted murder.

Handout 2 - Levels and Types of Crime

Directions: For each crime identify whether it is a misdemeanor (M), felony (F) or violation (V) in the blank.

- _____ Simple Possession
- _____ Noise Ordinance
- _____ Murder
- _____ Littering
- _____ Assault & Battery 3rd Degree
- _____ Speeding
- _____ Shoplifting
- _____ Truancy
- _____ Kidnapping
- _____ Computer Hacking

Types of Crime

Directions: For each scenario identify whether it is a crime of omission (O), crime of attempt (A) or status offense (S) in the blank to the *left*.

_____ Jen opens her own consulting business. She is doing really well and making a lot of money. April comes and goes, but she does not file her tax returns.

_____ Layla, Alyssa & Loriana decide to break into Liam & Levi's house. They get dressed and load into Alyssa's car. When they arrive at the house they all get out and Layla starts to pick the front lock. Suddenly, there are headlights and the girls get spooked and run.

_____ Braydon & Braxton are in high school. They really enjoy football. One day they try out for an arena team. Both of them make the team. B&B, as they are known, begin going to the arena every day, instead of school.

Handout 3: Categories of Crime

Directions: Explain Property Crime and Crimes Against People. Choose 1 and create a fact pattern that illustrates the category.

Property Crime:

Crimes Against People:

Fact Pattern:

Policing and the Rule of Law



South
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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
Policing and the Rule of Law

Overview	In this lesson students will look at how the concept rule of law operates in their community. Students will evaluate different scenarios that require the police and community work together to maintain and strengthen the rule of law.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define the term rule of law; 2. Identify important factors of the rule of law present in community events and; 3. Discuss ways the police and community can work together to maintain the rule of law.
Handouts	Handout 1. Important Factors of the Rule of Law Handout 2. “What would you do?”
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A. Lesson Outcomes Presentation Slide/Flip Chart B. Definition of Rule of Law Presentation Slide/Flip Chart C. Definition of Community Policing
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: Slide/Chart - Lesson Objectives Slide/Chart - Rule of Law 15 Minutes	<ol style="list-style-type: none"> 1. The SRO introduces him/herself and tells students that today they will continue to examine the ways police officers and communities can respond to various situations related to the rule of law. 2. The SRO will go over the lesson objectives with the class. 3. The SRO will review with students the definition of the Rule of Law. <ul style="list-style-type: none"> Rule of Law is the principle that 1. Those who are governed and those who govern must obey the law; 2. Laws are fair and impartial; 3. People’s rights are protected; and 4. Government is open to allow people to see laws are developed and administered 4. The SRO will review the Broken Windows Theory with students. In “Broken Windows: The Police and Neighborhood Safety,” George L. Kelling and James Q. Wilson explain that often crime in a community actually begins with the first signs of disorder, like broken windows, because community members withdraw. They feel less safe and connected in their community, and criminals can take control. Parks where children can play and people are watching often bring down crime in a community because people are seen being present and taking ownership, so it becomes easier for criminals to go somewhere where the neighborhood is not watching them.

Policing and the Rule of Law, *continued*

<p>Community Policing <i>15 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will share with students the definition of Community Policing. <i>Community policing is a philosophy of full service personalized policing, where the same officer patrols and works in the same area on a permanent basis working in a proactive partnership with citizens to identify and solve problems.—Bertus Ferreira</i> Community Policing can also include many different types of community building and positive interaction with police. Once police officers are seen as a part of the community rather than having a presence when a crime is committed, then the community as a whole sees a lower crime rate and more crime prevention begins to take place within a community. 2. Based on the definition of Rule of Law from above, question the students about the idea of Community Policing and where the two fit together. Answers will vary. 3. The SRO will conduct a brainstorming session with students to evaluate ways the students would like to see police interacting within their own community. Be sure to have a student nominated to record all answers for discussion later.
<p>On “In the News”, Important Factors of The Rule of Law <i>25 minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will distribute a copy of the “What Would You Do?” handout and the Rule of Law Factors to each student. 2. The SRO will briefly discuss the Rule of Law Factors with the class. 3. Break members of the class into groups of four. 4. Number each student 1-4. 5. Read the scenario at the beginning of “What Would You Do?” aloud to the whole class. 6. Move students into their groups. 7. Based on their assigned roles, students work with their group to find a solution to the problem while upholding factors associated with the rule of law. 8. Groups will record their solution to the problem on the handout. 9. One member of each group will share their solution with the class and explain how the rule of law was upheld.
<p>Debrief <i>25 minutes</i></p>	<ol style="list-style-type: none"> 1. Ask a student or students to restate the definition of rule of law; 2. Ask students if there are other recent events that challenged the rule of law in the state or nation; 3. Ask students why maintaining the rule of law is the responsibility of both the police and community.
<p>Closing <i>5 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.

Handout 1 - Important Factors for Rule of Law

Government is Limited

The people who make and enforce the law do not have unlimited power and must obey the law.

People's Rights Are Protected

Fundamental rights are protected by law and are respected by the people.

Justice is Fair and Impartial

Justice is handled in a timely manner, the rights of the accused and victims are both protected, and judges and/or juries reflect the communities they serve.

Government is Open and Transparent

The processes of developing and enforcing the law is accessible to the public.

People are Secure

Laws are clear and protect the safety and property of individuals.

Handout 2 - What Would You Do?

Instructions: Read the scenario. Find your role in the discussion. Discuss with your group how to resolve the problem based on the perspective of your role and the factors associated with the rule of law. Record your group's response at the bottom of the handout.

Scenario: You live in a coastal town that is the location every spring for thousands of college students to visit on Spring Break. Although the community does benefit financially, the chaos of those few weeks has divided the people living in the town. How can the town maintain order and still profit?

Number	Role
1	Local police officer You have worked in the town for over 15 years. For five weeks every spring, you must handle a wide variety of complaints from the residents and businesses. College students in town for spring break often get in fights, destroy property, and harass some residents. Additionally, there are major safety issues including intoxicated driving. You would prefer if college students were not allowed to come to the town during Spring Break.
2	City council member You are up for re-election in a few months. The college spring break traffic brings in important revenue for town projects and improvements. However, many of your voters are tired of the headaches the college students create every year. You want to sponsor an ordinance restricting students to certain beaches and hotels during spring break.
3	Restaurant Owner Spring break is the most important period of the year for your business. Sure, the students can be out of control at times. However, you would have to lay off many employees if students were no longer coming to the town. It may also force you to close your door altogether.
	Local College Student

4

You attend a school two hours from the town. However, you come back for spring break week. It's a fun place to be. The beaches are great and the hotels and restaurants are inexpensive compared to other spring break locations. You don't think it's fair that students might be restricted or banned from coming to the town.

What should the town do?

Which factors of the rule of law does your solution best reflect?

Why does your solution maintain and/or improve the rule of law?

Presentation Slide/Flip Chart B: Rule of Law

Rule of Law is the principle that:

- 1. Those who are governed and those who govern must obey the law;**
- 2. Law are fair and impartial;**
- 3. People's rights are protected; and**
- 4. Government is open to allow people to see laws are developed and administered**

Presentation Slide/Flip Chart C: Definition of Community Policing

Community policing is a philosophy of full service personalized policing, where the same officer patrols and works in the same area on a permanent basis working in a proactive partnership with citizens to identify and solve problems. – Bertus Ferreira

Use of Force



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Use of Force

Unit Title:	"Use of Force"
Overview	This lesson focuses on the lawful use of force both for police and civilians. This lesson will allow students to understand the reasonable use of force, and the times in which the use of deadly force is legally justifiable.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Define what the use of force is 2. Describe when use of force is acceptable for civilians 3. Describe when use of force is acceptable for police officers 4. Describe when use of deadly force is acceptable
Handouts & Multimedia	Handout 1: National Institute of Justice Use of Force Continuum
Presentation Slide/Flip Charts	National Institute of Justice Use of Force Continuum https://nij.gov/topics/law-enforcement/officer-safety/use-of-force/pages/continuum.aspx District Attorney of Los Angeles County report on Officer involved shooting of Daniel Padilla - http://da.lacounty.gov/sites/default/files/pdf/JSID_OIS_01_2017_Padilla.pdf
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Icebreaker scenario <i>5 Minutes</i>	Icebreaker: Nate is sitting at home reading a paper. He hears glass shatter downstairs. He grabs his gun and heads down cautiously. When he rounds the corner, Nate sees a masked intruder. Upon seeing Nate, the intruder tries to retreat back out the window; however, Nate fires the gun and severely injures the man. Nate then calls the police. Ask students what will the police do? Was Nate justified in using deadly force? (Yes discuss SC "castle doctrine").

Use of Force, *continued*

What is Use of Force
10 Minutes

Ask class what the term “reasonable” means. Give them the definition: fair/appropriate/sensible under the circumstances. In the law, this is a vital term; courts often use the “reasonable person” standard. In other words, how a reasonable person would react under the circumstances. It should be noted that officers are held to a higher standard; however, reasonableness is still the measure. Show several YouTube clips relating to use of force.

Be sure to discuss situations in South Carolina that allow for use of force and/or use of deadly force. For instance, a) self-defense (remember only use enough to eliminate threat) see *State v. Dickey*, 394 S.C. 491, 499, 716 S.E.2d 97, 101 (2011), b) defense of other people see *State v. Dickey*, 394 S.C. 491, 499, 716 S.E.2d 97, 101 (2011), and c) defense of property (we have the “castle doctrine” and stand your ground), see *State v. Bryant*, 391, S.C. 225, 233-34, 705 S.E.2d 465, 470 (2010). To use deadly force, the person must be in imminent danger and fear of serious injury or death.

On the Smart Board put up the Use of Force Continuum, or provide students with the hardcopy Handout 1. The National Institute of Justice (NIJ), has a good Use of Force Continuum located at: <https://nij.gov/topics/law-enforcement/officer-safety/use-of-force/pages/continuum.aspx>. Discuss with the class and then discuss when law enforcement is justified in using force. In terms of law enforcement, while it is still a reasonable test, you have to also look at each case individually and remember that law enforcement officers must make life/death decisions in an instant. The Supreme Court has said that the use of force should be analyzed under the Fourth Amendment reasonableness standard, see *Graham v. Connor*, 490 U.S. 386, 109 S. Ct. 1865 (1989) and *Heyward v. Christmas*, 357 S.C. 202, 593 S.E.2d 141 (2004). In more recent years, the Supreme Court has either avoided the question, see *County of Los Angeles v. Mendez*, 581 U.S. _____, 815 F. 3d 1178 (2017), or prosecutors have cited the Supreme Court as their reason for failing to file charges like in the 2014 case of Tamir Rice.

Establishing what is Reasonable Force
15 Minutes

Activity 1: In small groups, students will be given several scenarios and will determine if the reaction was “reasonable.” They will share their decisions with the class.

Scenario 1: Corporal Duthie responds to a call of a domestic dispute. Upon arrival, she sees Angie on top of William with a knife. There is blood on the ground. When Angie notices Corporal Duthie, she comes toward her with the knife. Corporal Duthie tells her to stop and drop the knife. Angie ignores her and continues to charge toward her. Corporal Duthie takes out her gun, shoots, and kills Angie.

Scenario 2: Sara is leaving work. She has been receiving threats via text and social media. She is extremely nervous and tense. As she rounds the corner to her car, she sees someone slicing her tires. She takes her revolver out of her bag and shoots and kills the person. As it turns out, the person was simply picking up some change off the ground.

Scenario 3: Jen is eating lunch downtown at Sushi 201. She happens to look up from her book and see an elderly woman being beaten and robbed on the sidewalk. She jumps up and takes her Taser from her bag as she runs to the woman’s aid. She fires her Taser at the elderly woman’s attacker. He is incapacitated and police are called.

Scenario 4: Rachel is 15 and walks in on her step dad raping her little sister. She immediately pulls out her pocketknife (a gift from her dad) and stabs her step dad. She hits an artery and he dies instantly.

Scenario 5: Officer Reyes stops a car in North Charleston that fits a description from a drive by. As he approaches the car, the suspect exits the vehicle and begins to fight with Officer Reyes. The two men engage in hand-to-hand combat, Officer Reyes ends up on his back with the suspect on top of him. The suspect is reaching for his gun, Officer Reyes is faster and grabs his gun and shoots and kills the suspect.

Use of Force, *continued*

<p>Writing Use of Force Policies <i>20 Minutes</i></p>	<p>Activity 2: In their groups students will write a use of force policy for a police department. They can choose any time period from 1950s to present day. The time period is important because court cases, society, and law enforcement tools will affect how the policy is drafted. They should use their devices or the library to research. Depending on how far they get with research, they will present their policies to the class the next day or the day after. After each group presents their policy, the class should discuss them.</p>
<p>Closing/ Homework <i>30 Minutes</i></p>	<p>The students will conduct a mock trial of the LA County officer involved shooting of Daniel Padilla. The case notes can be found at the following site: http://da.lacounty.gov/sites/default/files/pdf/JSID_OIS_01_2017_Padilla.pdf, and as Handout 2. Students should receive pages 1-6 immediately. Divide the class into three teams: State/Defense/Jury. Each student will have a responsibility. The State has decided to go after the officers involved in this shooting for Homicide. Defense will be the Officers and their attorneys. Each side should call witnesses to the stand. It is up to the students to determine what witnesses to call and what questions to ask; however, you will want to circulate and check in frequently. Students on the State or Defense teams will either be witnesses or attorneys. The jurors will go into this trial only with the knowledge they have so far. It is their duty to take notes and decide a verdict. Each member of the jury should turn in their notes and reason for their verdict. It does not have to be a perfect mock trial, but it should be effective enough so that they can see that things are not always black and white in use of force cases. Once the trial is complete, share page 7 with the class and ask for their feedback. Have them complete an exit ticket explaining why they agree or disagree.</p>
<p>Closing <i>5 Minutes</i></p>	<p>The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.</p>
<p>Optional Activities</p>	<p>If time permits show them the following videos from YouTube to help cement the ideas:</p> <p>Officer involved use of force: https://www.youtube.com/watch?v=yfi3Ndh3n-g https://www.youtube.com/watch?v=apvK6stOUbs</p> <p>Civilian use of force: https://www.youtube.com/watch?v=vSXZfJL3hkE https://www.youtube.com/watch?v=x81aV4XQ7rk</p>
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1 & 2 2. Officer involved YouTube video clips https://www.youtube.com/watch?v=yfi3Ndh3n-g https://www.youtube.com/watch?v=apvK6stOUbs 3. Civilian use of force YouTube video clips https://www.youtube.com/watch?v=vSXZfJL3hkE https://www.youtube.com/watch?v=x81aV4XQ7rk

Handout 1, National Institute of Justice

Use-of-Force Continuum

Most law enforcement agencies have policies that guide their use of force. These policies describe an escalating series of actions an officer may take to resolve a situation. This continuum generally has many levels, and officers are instructed to respond with a level of force appropriate to the situation at hand, acknowledging that the officer may move from one part of the continuum to another in a matter of seconds.

An example of a use-of-force continuum follows:

- **Officer Presence — No force is used. Considered the best way to resolve a situation.**
 - The mere presence of a law enforcement officer works to deter crime or diffuse a situation.
 - Officers' attitudes are professional and nonthreatening.
- **Verbalization — Force is not-physical.**
 - Officers issue calm, nonthreatening commands, such as "Let me see your identification and registration."
 - Officers may increase their volume and shorten commands in an attempt to gain compliance. Short commands might include "Stop," or "Don't move."
- **Empty-Hand Control — Officers use bodily force to gain control of a situation.**
 - *Soft technique.* Officers use grabs, holds and joint locks to restrain an individual.
 - *Hard technique.* Officers use punches and kicks to restrain an individual.
- **Less-Lethal Methods — Officers use less-lethal technologies to gain control of a situation.**
 - *Blunt impact.* Officers may use a baton or projectile to immobilize a combative person.
 - *Chemical.* Officers may use chemical sprays or projectiles embedded with chemicals to restrain an individual (e.g., pepper spray).
 - *Conducted Energy Devices (CEDs).* Officers may use CEDs to immobilize an individual. CEDs discharge a high-voltage, low-amperage jolt of electricity at a distance.
- **Lethal Force — Officers use lethal weapons to gain control of a situation. Should only be used if a suspect poses a serious threat to the officer or another individual.**
 - Officers use deadly weapons such as firearms to stop an individual's actions.

Community Policing



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Community Policing

Overview	This lesson provides students additional opportunities to apply their understanding of community policing to situations encountered by law enforcement officials. Students will examine situations and give their perspective on how community policing might affect the outcome of each situation. Additionally, students will discuss the types of qualities or experiences police officers should have to prepare for their work in the community.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define the terms “community policing” & “beat”; 2. Discuss how law enforcement personnel and members of the community react to common situations; 3. Apply the elements of community policing and discuss its effect on these situations; 4. Identify the qualities or experiences that would help officers “on call.”
Handouts	“On the Beat” Scenario Response
Presentation Slide/Flip Charts	A. Lesson Outcomes B. Community Policing
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: 10 Minutes	<ol style="list-style-type: none"> 1. The SRO introduces him/herself and tells students that today they will examine the ways police officers and communities can respond to various situations. 2. The SRO will then ask students to share their perspectives on what police officers do each day. They might ask these questions: <ul style="list-style-type: none"> • What do you think are the most common situations police officers face each day? • What do police officers keep in mind when responding to a call? • What type of paperwork or reporting is required as a police officer? • How many “calls” are received on a typical day? <p>Tell students that you will return to those responses at the end of the lesson.</p> 3. Ask students to describe the term “Community Policing” from a previous lesson. Return to the definition using a slide or flip chart. <p>Community policing focuses on three key elements:</p> <ol style="list-style-type: none"> 1. Partnerships with members of the local community; 2. Identifying and finding solutions to problems that cause crime; and 3. Changing the organization of the police department to ensure that law enforcement can keep communities safe. <ol style="list-style-type: none"> 4. Define the term “beat” for students and its relationship to community policing.

Community Policing, *continued*

<p>On “The Beat,” Scenario Response <i>25 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will distribute a copy of the “On the Beat” handout and Scenario Response handout to each student 2. Break members of the class into pairs. 3. One person in each pair should respond to the situation in the role of the police officer. The other member should be responding for the community. 4. Ask students to log their work on the scenario response. 5. Ask students to share their responses to each situation. 6. After each scenario, explain the ways police officers must approach potentially challenging situations, including assessing the crisis, considering the use of force, and deciding whether to make an arrest. 7. Discuss the ways the community could assist in each situation. 8. Based on these situations, ask students what types of qualities or experiences would help officers’ better respond to the different situations they face on the beat.
<p>Debrief <i>5 minutes</i></p>	<ol style="list-style-type: none"> 1. Ask a student or students to restate the definition of community policing; 2. Ask students why the situations discussed in class can be addressed more successfully when police and communities work together on problems; 3. Return to the questions about the daily experiences of a police officer and respond to them.
<p>Closing <i>5 minutes</i></p>	<p>The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.</p>
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. “On the Beat” 2. Scenario Response Sheet 3. Presentation Slide/Flip Chart Lesson Objectives 4. Presentation Slide/Flip Chart Community Policing

Handout 1 – “On the Beat”

Instructions: Read each scenario with a partner. One of you should describe the response of law enforcement to the situation and one of you should describe the response of the community in solving the problem.

Scenario 1

A fast food restaurant is crowded during the lunch rush. One of the customers is very upset about not getting her food order before other people. The person finally gets her food, but she starts shouting at the person who took her order. The manager asks the individual to come with him to another area of the restaurant to talk. The customer refuses and starts shouting profanity at the manager. One of the restaurant employees calls the police when the customer won't calm down after several minutes.

Scenario 2

On a Saturday night, people start arriving at one of the houses in the neighborhood. Around midnight, there are several cars parked along the curb, loud music is playing, and there are several teenagers walking around the streets. A neighbor calls the police about the disturbance.

Scenario 3

On the sidewalk, out in front of a dance club, two men are arguing with each other. One person works for the dance club. The yelling attracts a small crowd. One man says he's going to his car and will be right back to settle the problem. Someone in the crowd calls the police.

Scenario 4

There have been several home robberies in the neighborhood in the last month. Most have been during the day when people were at work or shopping. There are two young men walking around who don't live in the neighborhood. Someone calls the police.

Handout 2 - Scenario Responses

How Law Enforcement Should Respond	Scenario	How the Community Should Respond
	1	
	2	
	3	
	4	

Slide/Chart - Lesson Objectives

As a result of the lesson, the student will be able to:

1. Define the term community policing & beat;
2. Discuss how law enforcement and members of the community react to common situations;
3. Reflect on how the elements of community policing might affect these situations;
4. Identify the qualities or experiences that would help officers "on patrol."

Slide/Chart - Community Policing

What is Community Policing?

Community policing is a philosophy or way of thinking about law enforcement that focuses on improving public safety with three key elements:

Community policing focuses on three key elements:

1. Partnerships with members of the local community;
2. Identifying and finding solutions to problems that cause crime; and
3. Changing the organization of the police department to ensure law enforcement can keep communities safe.

School Searches



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
School Searches in South Carolina:
What Are My Rights?

Overview	This lesson focuses on the application of the Fourth Amendment within the school setting. Students will review the general rule of school searches within the context of the Fourth Amendment. Students will then review landmark cases and South Carolina laws including <i>New Jersey vs. T.L.O.</i> (1985), <i>Anderson et. al vs. City of Goose Creek Police Department et. al</i> (2003), Section 59-63-1120 and Section 59-63-1140 to understand the rules of searches in the school setting. Finally, students will apply their understanding of the Fourth Amendment to a series of situations that could occur at their school.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define the terms reasonable suspicion, probable cause and reasonable expectation of privacy; 2. Explain the Fourth Amendment including the purpose and limits in a school setting; 3. Evaluate a legal issue, rule of law, application of facts and conclusion of a landmark Supreme Court case; 4. Summarize South Carolina statutes on school searches including Section 59-63-1120 and Section 59-63-1140; 5. Analyze hypothetical searches in a school setting to determine whether a search is reasonable.
Handouts	Handout 1. Lesson hook hypothetical Handout 2. South Carolina Laws on school searches Handout 3. Landmark and Local Cases on school searches Handout 4. “Do They Have a Right?” school searches activity
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: The Fourth Amendment and Terms to Know Presentation Slide/Flip Chart C: South Carolina Laws and Cases on School Searches Presentation Slide/ Flip Chart D: “Do They Have a Right”? School Searches Activity Answers

School Searches in South Carolina: What Are My Rights?, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

Introduction and Lesson Hook:

-Handout 1

**-Presentation Slide/
Flip Chart A:**

5 Minutes

1. The SRO will begin by introducing him/herself and tell students that they will learn about the Fourth Amendment and about the local laws on when, how and for what reasons school officials can conduct searches in the school setting.
2. The SRO will then distribute the scenario similar to the student searched in *New Jersey vs. T.L.O (Handout 1)*.
3. The SRO will tell students that they will have 3 minutes to carefully read the scenario and determine whether the school search was constitutional.
4. The SRO will then select students who will share their responses for possible reasons for the outcome of the scenario.
5. The SRO officer will state, "In order to know whether the search was reasonable, it's important to understand the laws and rules regarding the Fourth Amendment in the school setting."
6. The SRO will then review the lesson outcomes and display **Presentation Slide/Flip Chart A**.
7. The SRO will state, "I will provide an overview of the laws in South Carolina involving searches in schools and explain why it is important to know them. Please get out your pens and be prepared to take notes to help you with the activity later in the lesson."

Review of the Fourth Amendment:

**- Presentation Slide/
Flip Chart B**

10 Minutes

1. The SRO will then display Presentation Slide/Flip Chart B and review the Fourth Amendment asking students to summarize the Fourth Amendment in their own words.
Answers will vary. The Fourth Amendment protects citizens from "unreasonable searches and seizures" by the government or agents of the government.
2. The SRO will ask students if they think the Fourth Amendment applies in schools.
Answers will vary. The Fourth Amendment does apply in schools.
School officials can conduct searches if they have a reasonable suspicion that a crime has been or is in the process of being committed or if a school rule has been broken.
3. The SRO will then review the term of "reasonable suspicion" on the flip chart and state that "reasonable suspicion" means that the school official or designee thinks that the student has either committed a crime, about to commit a crime, or has violated a school rule."
4. The SRO will then state, "reasonable suspicion is a different standard than probable cause, which is needed for police officers to search students."
5. The SRO will review the term probable cause on the flip chart and state, "In South Carolina, if a police officer exclusively is called in to search you, they need probable cause. Probable cause is "when a police officer has facts and knowledge from a very good source that would lead him/her to believe that a crime has been committed."

School Searches in South Carolina: What Are My Rights?, *continued*

<p>Review of the Fourth Amendment: <i>Continued</i></p>	<p>6. The SRO will then state “students generally have a ‘reasonable expectation of privacy’ when they come to school. This means that you can bring items that you use to school like your bookbag, your cell phone and other items with the expectation that they will not be searched as long as there is no reason to believe that what you have with you is illegal or that you are violating a school rule.”</p> <p>7. The SRO will then state, “Now that we have a foundation of the Fourth Amendment and what it means in the school setting, we are going to review specific laws in South Carolina that school officials must follow for school searches and we will review some important cases.”</p>
<p>Review of South Carolina Laws/ Case Law on School Searches: -Handout 2 -Handout 3 -Presentation Slide/ Flip Chart C 20 Minutes</p>	<p>1. The SRO will distribute Handout 2 and Handout 3 stating, “I am handing out a summary of South Carolina laws and important cases on school searches. Use these handouts and follow along with the information I review with you.”</p> <p>2. The SRO will then display Presentation Slide/Flip Chart C and review the six South Carolina laws regarding searches of persons and their personal effects on school property.</p> <p>3. The SRO officer will state “Article 11 of the South Carolina laws have six specific laws that regulate searches by school officials in school. I am going to break you up into groups by row and assign you a section of the law to summarize for the class. You will have three minutes to read the section assigned on Handout 2, and when time is up, report to the class on what that law means.</p> <p>4. The SRO officer will assign students in the following manner:</p> <ul style="list-style-type: none"> -Section 59-63-1110 to row 1 -Section 59-63-1120 to row 2 -Section 59-63-1130 to row 3 -Section 59-63-1140 to row 4 -Section 59-63-1150 to row 5 -Section 59-63-1160 to row 6 <p>5. The SRO officer will then ask each row to summarize the laws.</p> <p><i>Section 59-63-1110 states that anyone who enters a school campus gives consent to a reasonable search of his/her person and/or things.</i></p> <p><i>Section 59-63-1120 states that school officials can conduct reasonable searches on lockers, desks, vehicles and personal belongings like bookbags, purses or wallets with or without probable cause.</i></p> <p><i>Section 59-63-1130 states that school officials and designees can conduct reasonable searches of a visitor’s person or things when the visitor is on school grounds.</i></p> <p><i>Section 59-63-1140 states that strip searches of students are prohibited.</i></p> <p><i>Section 59-63-1150 states that school administrators must receive training on how to conduct a “reasonable search.”</i></p> <p><i>Section 59-63-1160 states that notice must be posted at all regular entrances informing students and visitors of the consent to search law.</i></p> <p>6. The SRO will state, “Now that we have reviewed the specific laws in South Carolina that governs school searches, I want to review two important cases on school searches. The first is a Supreme Court case, New Jersey vs. T.L.O and the second is a local case involving a search at Stratford High School in 2003. You may follow along on Handout 3.”</p>

School Searches in South Carolina: What Are My Rights?, *continued*

Review of South Carolina Laws/ Case Law on School Searches: *Continued*

7. The SRO will ask one student to read the case summary on **Handout 3** aloud while the others follow along silently.

8. The SRO will ask a student to volunteer to summarize the case of *New Jersey vs. T.L.O.*

-In *New Jersey vs. T.L.O.*, two freshmen were accused of smoking in the bathroom, which was against the rules. One of the girls admitted to smoking in the bathroom and T.L.O. denied it. The assistant principal then searched T.L.O.'s purse and found cigarettes, evidence of marijuana use, money, and a list of names of people who appeared to owe T.L.O. money. Later, at the police station, T.L.O. admitted to selling marijuana. T.L.O. and her parents argued that the evidence found in the purse and the girl's confession should be excluded because the search was unreasonable and the evidence that was found was unrelated to the original search. The case ultimately ended up at the Supreme Court.

9. The SRO will then ask students whether they think the search was legal or illegal.

Answers will vary. The Supreme Court upheld the search, stating that school officials may conduct warrantless searches as long as they are reasonable under the circumstances. The court noted that the Fourth Amendment still applies in schools; however, school officials must maintain order and safety. Therefore, a school official can conduct a search as long as he or she has a reasonable suspicion that a crime has been or is about to be committed or a school rule has been broken. In this case, there was a reasonable suspicion that a school rule (smoking in the bathroom) was broken and the search was legal.

10. The SRO will then ask a student to volunteer to read a summary of the complaint filed in the matter of *Anderson v. City of Goose Creek Police Department*. The remainder of the class will follow along silently.

11. The SRO will ask a student to volunteer to summarize the case of *Anderson v. City of Goose Creek Police Department*.

12. The SRO will then ask students whether they think the search was legal or illegal?

Answers will vary. In this case, Stratford High School used police drug dogs to conduct a search on lockers on the authority of the Assistant Principal after reports surfaced of illegal drug activity conducted on school grounds. During the raid, approximately 107 students were secured in the hallways, weapons were drawn, and students' bookbags were searched. The ACLU, on behalf of the parents filed a complaint against the school district and the City of Goose Creek Police Department, alleging that the search violated the Fourth Amendment. The case ultimately settled for approximately 1.6 million dollars. The court concluded that, police must have probable cause and pressing circumstances or voluntary consent in order to conduct law enforcement activity on school grounds.

*SROs that have access to technology may choose to show the video of the drug raid. <https://www.youtube.com/watch?v=BU2e67h14ks>

13. The SRO will state, "Now you will use the South Carolina laws and cases that we have reviewed, to determine whether 5 situations involving school searches are reasonable or unreasonable.

School Searches in South Carolina: What Are My Rights?, *continued*

<p>“Do They Have a Right?” School Searches Activity: -Handout 4 -Presentation Slide/ Flip Chart D 20 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will distribute Handout 4, review the directions, and inform students that they will work in pairs of two and have 7 minutes to read the 5 scenarios and determine whether each search is reasonable or unreasonable. 2. After the 7 minutes is up, students will share their responses to each scenario. Student responses will be recorded on the board or Presentation Slide/Flip Chart D. 3. Display Presentation Slide/Flip Chart D and share the following: <ul style="list-style-type: none"> Scenario 1: <i>Mandatory drug testing by public schools for extracurricular activities are generally considered a reasonable search and constitutional.</i> Scenario 2: <i>Generally, a strip search is considered an unreasonable search if school officials have no reason to believe that drugs are dangerous or present in undergarments. South Carolina laws section 59-63-1140 specifically prohibit strip-searches.</i> Scenario 3: Generally, school officials must have a reasonable suspicion that a school rule has been violated or that crime has been or is about to be committed in order to look through a student’s cell phone. In this scenario, an anonymous tip found on a desk generally does not rise to the level of reasonable suspicion; therefore, the search is unreasonable. Scenario 4: Locker searches conducted by school officials in South Carolina are allowed under <i>Section 59-63-1120</i> as long as there is a “reasonable” justification for the search. Scenario 5: School searches conducted solely by law enforcement officials must rise to the level of probable cause NOT reasonable suspicion. In this case, a tip from an unreliable source would not rise to the level of probable cause.
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and ask students to write down a brief summary of what they learned regarding school searches in South Carolina. 2. The SRO will ask student volunteers to share their responses. 3. The SRO will ask students if they have any questions regarding the lesson.
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1-4 2. Presentation Slide/Flip Chart A-D 3. Smartboard and computer (<i>optional</i>)

Handout 1 - Lesson Hook Hypothetical

Brooke, a junior at Mytown High School, was in the restroom during class. Ms. Henley, the Assistant Principal, was completing hall sweeps to ensure that all students were in class, and she observed Brooke coming out of a single stall bathroom. Ms. Henley smelled smoke in the bathroom and on Brooke when she approached her. Ms. Henley asked Brooke if she was smoking and Brooke denied it.

Ms. Henley then took Brooke to the principal's office and conducted a search of Brooke's purse in the presence of the principal and the school resource officer. Ms. Henley found a pack of cigarettes and a small amount of marijuana in Brooke's purse.

Brooke was arrested and charged with simple possession of marijuana pursuant to South Carolina statute 44-53-0370.

Brooke's parents are claiming that this is an unlawful search. The school stands by its decision and states the school was reasonable under the circumstances.

-Do you think the search was reasonable? State yes or no and explain why.

1. Case is based on the facts in *New Jersey vs. T.L.O.*, 469 U.S. 325 (1985).

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define the terms *reasonable suspicion*, *probable cause*, and *reasonable expectation of privacy*;
2. Explain the Fourth Amendment including the purpose and limits in a school setting;
3. Evaluate a legal issue, rule of law, application of facts, and conclusion of a landmark Supreme Court case;
4. Summarize South Carolina statutes on school searches including Section 59-63-1120, and Section 59-63-1140.
5. Analyze hypothetical searches in a school setting to determine whether a search is reasonable.

Presentation Slide/Flip Chart B: The Fourth Amendment & Terms to Know

The Fourth Amendment:

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

-Fourth Amendment to the United States Constitution

Terms to Know:

1. **Reasonable suspicion** - the school official or designee thinks that the student has either committed a crime, the student is about to commit a crime, or the student has violated a school rule.”
2. **Probable cause** - “when a police officer has facts and knowledge from a very good source that would lead him/her to believe that a crime has been committed.”
3. **Reasonable expectation of privacy** - This means that you can bring items that you use in school, like your book-bag, your cell phone, and other items, with the expectation that they will not be searched as long as there is no reason to believe that what you have with you is illegal or that you are violating a school rule.”

Handout 2 - South Carolina Laws on school searches

Directions: Work with your assigned row to look up, summarize the assigned statute, and write a brief summary. Be prepared to discuss.

1. Section 59-63-1110: Consent to search persons and effects.
2. Section 59-63-1120: Searches by school administrators or officials with or without probable cause.
3. Section 59-63-1130: Searches by principals and designees.
4. Section 59-63-1140: Strip Searches prohibited.
5. Section 59-63-1150: Training of school administrators.
6. Section 59-63-1160: Posting of notice.

1. SC. Code Ann. § 59-63-1110-1160 (2003).

Handout 3 - Landmark and Local Cases on school searches

Directions: Read through each case. In the spaces provided below, write down a quick summary of the case, and explain whether you think each search was reasonable.

New Jersey vs. T.L.O.

In *New Jersey v. T.L.O.*, two freshman were accused of smoking in the bathroom, which was against the rules. One of the girls admitted to smoking in the bathroom and T.L.O. denied it. The assistant principal then searched T.L.O.'s purse and found cigarettes, evidence of marijuana use, money, and a list of names of people who appeared to owe T.L.O. money. Later, at the police station, T.L.O. admitted to selling marijuana. T.L.O. and her parents argued that the evidence found in the purse and the girl's confession should be excluded because the search was unreasonable and the evidence that was found was unrelated to the original search. The case ultimately ended up at the Supreme Court.

Case summary and predicted outcome:

Anderson v. City of Goose Creek Police Department

In this case, Stratford High School used police officers and drug dogs to conduct a search on lockers on the authority of the Assistant Principal after reports surfaced on illegal drug activity conducted of school grounds. During the raid, approximately 107 students were secured in the hallways, weapons were drawn, and students' book bags were searched. The ACLU, on behalf of the parents filed a complaint against the school district and the City of Goose Creek Police Department alleging that the search violated the Fourth Amendment

Case summary and predicted outcome:

1. *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
2. ACLU, "Landmark Settlement Reached in Notorious Drug School Raid Caught on Tape." ACLU News (April 7, 2006), <https://www.aclu.org/news/landmark-settlement-reached-notorious-school-drug-raid-caught-tape>. (assessed June 10, 2017)

Presentation Slide/Flip Chart C: South Carolina Laws and Cases on School Searches

South Carolina Laws:

1. Section 59-63-1110 states that anyone who enters a school campus gives consent to a reasonable search of his/her person and/or things.
2. Section 59-63-1120 states that school officials can conduct reasonable searches on lockers, desks, vehicles, and personal belongings like book bags, purses, or wallets with or without probable cause.
3. Section 59-63-1130 states that school officials and designees can conduct reasonable searches of a visitor's person or things when the visitor is on school grounds.
4. Section 59-63-1140 states that strip searches are prohibited.
5. Section 59-63-1150 states that school administrators must receive training on how to conduct a "reasonable search."
6. Section 59-63-1160 states that notice must be posted at all regular entrances informing students and visitors of the consent to search law.

Cases:

New Jersey vs. T.L.O.

The Supreme Court upheld the search, stating that school officials may conduct warrantless searches as long as they are reasonable under the circumstances. The court noted that the Fourth Amendment still applies in schools; however, school officials must maintain order and safety. Therefore, a school official can conduct a search as long as he or she has a reasonable suspicion that a crime has been/or is about to be committed or a school rule has been broken. In this case, there was a reasonable suspicion that a school rule (smoking in the bathroom) was broken and the search was legal.

Anderson v. City of Goose Creek Police Department

The case ultimately settled for approximately 1.6 million dollars. The court concluded that police must have probable cause and pressing circumstances or voluntary consent in order to conduct law enforcement activity on school grounds.

1. SC. Code Ann. § 59-63-1110-1160 (2003).
2. *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
3. ACLU, "Landmark Settlement Reached in Notorious Drug School Raid Caught on Tape." ACLU News (April 7, 2006), <https://www.aclu.org/news/landmark-settlementreached-notorious-school-drug-raid-caught-tape>. (assessed June 10, 2017).

Handout 4 - "Do They Have a Right?" school searches activity

Directions: Read each scenario with a partner and write down whether the search is reasonable or unreasonable. Provide an explanation for your answers and be prepared to discuss.

Scenario 1:

Lucy is on the swim team at Mytown high school. Lucy was told that this year, she must sign a form allowing the school to provide random drug tests multiple times during the season. The form states that Lucy cannot participate on the team if she does not consent or if she tests positive for drugs once tested.

Reasonable Search? Yes/No. Explanation:

Scenario 2:

A teacher who states that another student reported that he might have drugs on his person pulls Kevin out of class. Kevin is then taken to the nurse's office and searched. The school official did not find any drugs. The school official then asked Kevin to remove his clothes so that a strip-search could be conducted. Kevin removed his clothes and was searched by school officials.

Reasonable Search? Yes/No. Explanation:

Scenario 3:

Mrs. Carroll found a note with no name on it stating that another student, (Brandi) has been texting another student about getting drugs on campus. Mrs. Carroll does not know where the note came from, but decides to confiscate Brandi's phone and look through her texts to determine if she was in fact getting drugs.

Reasonable Search? Yes/No. Explanation:

Scenario 4:

Mytown High School in South Carolina has had a problem with several students taking school computers from the storage room in the school. As a result, school administrators decide to conduct a search of student lockers in an attempt to retrieve the missing items. During the search, four computers that were not checked out, were found in Leslie's locker. School officials questioned Leslie and she admitted to taking the computers and selling them at a local pawnshop. Leslie was charged with grand larceny.

Reasonable Search? Yes/No. Explanation:

Scenario 5:

A school administrator found a message in his box from an anonymous source indicating that Sarah drinks alcohol that is carried in her water bottle, at school. The source states that she keeps her water bottle in her locker and drinks during class breaks. Based on this information, the principal calls the local police department to conduct a search of Sarah's locker.

Reasonable Search? Yes/No. Explanation:

1. Scenario 1 facts based on *Board of Education vs. Earls*, 536 U.S. 822 (2002).
2. Scenario 2 facts based on *Safford Unified School District vs. Redding*, 557 U.S. 364 (2009).

Presentation Slide/Flip Chart D: "Do They Have A Right?"

SITUATION	REASONABLE/UNREASONABLE SEARCH?
1. Mandatory Drug testing...	
2. Strip-Search...	
3. Cell phone/text message search...	
4. Locker search for stolen computers...	
5. Law Enforcement only locker search...	

The Fourth Amendment: Police Searches and Seizure



**South
Carolina
Bar**

LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:

The Fourth Amendment: “Police Searches and Seizures in South Carolina”

Unit Title:	The Fourth Amendment: “Police Searches and Seizures in South Carolina”
Overview	This lesson focuses on the application of the Fourth Amendment regarding police searches and seizures. Students will review the general rule of searches and seizures within the context of the Fourth Amendment. Students will then review landmark cases and South Carolina laws including <i>Terry v. Ohio</i> , <i>South Carolina v. Anderson</i> , Section 17-13-140, Section 17-13-30 and Section 17-13-40 to understand the rules of searches and seizures within the Fourth Amendment. Finally, students will apply their understanding of the Fourth Amendment to a series of situations that could occur in real life.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Define the terms <i>probable cause</i>, <i>search warrant</i>, and the <i>exclusionary rule</i>; 2. Explain the Fourth Amendment, including the purpose and limits in a private setting; 3. Evaluate a legal issue, rule of law, application of facts, and conclusion of a landmark Fourth Amendment case; 4. Summarize South Carolina statutes on school searches, including Section 17-13-140, Section 17-13-30, and Section 17-13-40; 5. Apply the Fourth Amendment to hypothetical scenarios to determine whether a search is reasonable.
Handouts	Handout 1. Lesson hook hypothetical Handout 2. South Carolina Laws on searches and seizures Handout 3. Landmark and Local Cases on searches and seizures Handout 4. Fourth Amendment Carousel Activity
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: The Fourth Amendment and terms to know Presentation Slide/Flip Chart C: Fourth Amendment Laws and Cases Presentation Slide/ Flip Chart D: Fourth Amendment Carousel Activity and Answers

The Fourth Amendment: “Police Searches and Seizures in South Carolina”, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

<p>Introduction and Lesson Hook: -Handout 1 -Presentation Slide/ Flip Chart A 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will begin by introducing him/herself and tell students that today they will learn about the Fourth Amendment and about the local laws regarding searches and seizures in South Carolina. 2. The SRO will then distribute the scenario similar to the fact pattern in <i>Terry v. Ohio</i> (Handout 1). 3. The SRO will tell students that they will have 3 minutes to carefully read the scenario and determine whether they think the search was legal. 4. The SRO will then select students who will share out responses for possible reasons for the outcome of the scenario. 5. The SRO officer will state, “In order to know whether a search and/seizure by a police officer is legal, it’s important to understand the rules and laws regarding the Fourth Amendment in South Carolina.” 6. The SRO will then review the lesson outcomes and display Presentation Slide/Flip Chart A. 7. The SRO will state, “I will provide an overview of the laws in South Carolina involving searches and seizures and why it is important to know them. Please get out your pens and be prepared to take notes to help you with the activity later in the lesson.”
<p>How Do Laws Impact Your Daily Life as a Student/Adult - Presentation Slide/ Flip Chart B 10 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will then display Presentation Slide/Flip Chart B and review the Fourth Amendment asking students to summarize the Fourth Amendment in their own words. <ul style="list-style-type: none"> -Answers will vary. The Fourth Amendment protects citizens from “unreasonable searches and seizures” by the government or agents of the government. In general, officers must have a warrant based on probable cause or have certain reasons or exceptions that are allowed by law without a warrant, in order to legally search and seize a person, place, or items. Generally, a person has a reasonable expectation to privacy in private areas such as his/her home and other areas that are deemed private. A person generally does not have an expectation of privacy in public areas such as the street. 2. The SRO will ask students if they know what a search warrant is and what the requirements are for a police officer to obtain a search warrant in South Carolina. <ul style="list-style-type: none"> -Answers will vary. A search warrant is a sworn document by a police officer requesting to search certain places for certain items that the police officer reasonably believes could be evidence of a crime. The police officer generally must have probable cause to request a warrant and a judge must sign it. In South Carolina, a search warrant must be executed within ten days of being issued. 3. The SRO will then ask students if there are exceptions, or times when a search warrant is not necessary to conduct a search. <ul style="list-style-type: none"> -Answers will vary. There are several exceptions to the search warrant requirement when a police officer does not need a warrant to conduct a search. These main exceptions include consent, plain view, fear of immediate destruction of evidence, in hot pursuit of a felon, and public safety exceptions.

The Fourth Amendment: “Police Searches and Seizures in South Carolina”, *continued*

<p>How Do Laws Impact Your Daily Life as a Student/Adult <i>Continued</i></p>	<p>4. The SRO will then ask students if they know what happens with evidence seized without a search warrant or when there are no exceptions to the warrant requirement.</p> <p>-Answers will vary. Generally, any evidence that is seized in violation of the Fourth Amendment, cannot be used as evidence against someone in court under the Exclusionary Rule. In this case, a defendant can request that the evidence be excluded from the prosecution’s case against them.</p> <p>5. The SRO will then state, “Now that we have a foundation of the Fourth Amendment, search warrants, exceptions to the warrant requirement, and the exclusionary rule, we are going to review specific laws in South Carolina that police officers must follow for searches and seizures and we will review some important cases.”</p>
<p>Review of South Carolina Laws/ Case Law on School Searches -Handout 2 -Handout 3 -Presentation Slide/ Flip Chart C <i>20 Minutes</i></p>	<p>1. The SRO will distribute Handout 2 and Handout 3 stating, “I am handing out a summary of South Carolina laws and important cases on the Fourth Amendment. Use these handouts and follow along with the information I review with you.”</p> <p>2. The SRO will then display Presentation Slide/Flip Chart C and review South Carolina Laws regarding the Fourth Amendment.</p> <p>3. The SRO officer will state “Title 17 of the South Carolina laws have specific laws that regulate searches and seizures.</p> <p>4. The SRO officer will then ask for volunteers to summarize the laws.</p> <p>-Section 17-13-140 states that a judge or magistrate can sign a warrant to search and seize property that may be used as evidence of a crime when the police officer has probable cause.</p> <p>-Section 17-13-30 states that police officers can arrest someone without a warrant for offenses committed in view.</p> <p>-Section 17-30-40 states that an officer has jurisdiction when in pursuit of an offender.</p> <p>5. The SRO will state:</p> <p>-In addition to these specific laws in South Carolina, a police officer generally does not need a warrant to conduct a search during traffic stops when there is a reasonable, articulable suspicion that a law has been broken, for license checks, when the person gives consent to the search, when an illegal item is in plain view, for stop-n-frisks (only under certain circumstances), protective sweeps, imminent destruction of evidence, and public safety.</p> <p>6. The SRO will state,</p> <p>-“Now that we have reviewed the specific laws in South Carolina that governs the Fourth Amendment, I want to review two important cases on the Fourth Amendment. The first is a supreme court case, <i>Terry v. Ohio</i> and the second is a local recent case (State vs. Anderson) that was just decided before the South Carolina Supreme Court. You may follow along on Handout 3.”</p> <p>7. The SRO will ask one student to read the case summary on Handout 3 aloud while the others follow along silently.</p>

The Fourth Amendment: “Police Searches and Seizures in South Carolina”, *continued*

Review of South Carolina Laws/ Case Law on School Searches *Continued*

8. The SRO will ask a student to volunteer to summarize the case of *Terry v. Ohio*.
-In *Terry v. Ohio*, a police officer saw the defendant and another man acting suspiciously. According to the officer, the men were walking up and down a street, stopping and looking in a store window. They repeated this action several times. The officer thought they were “casing” the store and might be armed. In response to this suspicion, the officer confronted the men, asked them to identify themselves, and patted the men down. During the pat down, the officer found a gun on both Terry and the other man. Terry was charged with carrying a concealed weapon and the gun was admitted as evidence against him. The case ultimately ended up at the Supreme Court.
9. The SRO will then ask students whether they think the search was legal or illegal?
-Answers will vary. The Supreme Court upheld the search, stating that it is not an unreasonable search and seizure if a police officer conducts a stop-frisk or pat down of an individual, as long as the police officer has a reasonable belief that a person is armed and presently dangerous and that a crime is about to occur or is occurring. In this case, the officer had a good reason to believe that the defendant and the man with him was casing the store to rob it and therefore had a right to stop and conduct a pat down.
10. The SRO will then ask a student to volunteer to read a summary of *State v. Anderson*.
-In *State v. Anderson*, the defendant was walking in the vicinity of an area where police were conducting a drug raid. The police ordered the defendant to the ground and conducted a search of his person. During the search, police found cocaine, and the defendant was charged with possession of cocaine with intent to distribute. The defendant filed a motion to suppress the evidence under the exclusionary rule, stating that there was no reasonable suspicion based on articulable facts to believe that the defendant was armed and dangerous to justify a pat-down. The trial court and South Carolina Court of Appeals upheld the search. The case ultimately went to the South Carolina Supreme Court.
11. The SRO will then ask students whether they think the search was legal or illegal?
-Answers will vary. In this case, the South Carolina Supreme Court reversed the appeals court decision stating that there was not enough evidence to justify the pat-down of the defendant in the first place therefore the evidence of cocaine must be excluded under the exclusionary rule. The court reasoned the defendant walking in the vicinity of a drug raid in and of itself would not justify a conclusion that the defendant was armed and dangerous. The Supreme Court also stated that they believed that officers mistakenly thought the vicinity that the defendant was walking in was included in the search warrant for the drug raid and used the Terry exception afterwards claiming it was a valid-stop of the defendant.
12. The SRO will state, “Now you will use what we have discussed involving the Fourth Amendment, South Carolina laws and cases that we have reviewed, to determine whether the situation constitutes a reasonable search under the Fourth Amendment.”

The Fourth Amendment: “Police Searches and Seizures in South Carolina”, *continued*

<p>Fourth Amendment Carousel Activity: -Handout 4 -Presentation Slide/Flip Chart D 10 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will then post 4 hypotheticals around the room, distribute Handout 4, review the directions, and inform students that they will work in groups of no more than four people and have 7 minutes to read through each hypothetical and determine whether or not the search is legal. Students will record their answers on handout 4. 2. After the 7 minutes is up, students will share out loud responses for each scenario. Student responses will be recorded on the board or Presentation Slide/Flip Chart D. 3. Display Presentation Slide/Flip Chart D and share the following: <ul style="list-style-type: none"> -Scenario 1: Wire-tapping/electronic monitoring of a phone: Generally, the Fourth Amendment protections include wire-tapping and a warrant is needed to monitor phone conversations. This situation is similar to <i>Katz v. United States</i>, a Supreme Court case in which the court stated that the Fourth Amendment protects conversations in areas where that person expects a reasonable expectation of privacy. -Scenario 2: Car-drug search: Generally, police officers can search cars in this scenario where there is probable cause without a warrant. In this case, the police knew the defendant driving the car trafficked drugs in his vehicle, they saw him driving, and the evidence could have been lost in the amount of time it would have taken them to get a warrant. This is similar to the case of <i>Carroll v. United States</i>. In addition, South Carolina laws section 17-13-40 would most likely apply to this scenario. -Scenario 3: Search of a passenger in a vehicle incident to a legal stop: In this scenario, the police had a legal justification for stopping the driver of the vehicle as the driver failed to stop at a stop sign. Upon approaching the vehicle, police observed a syringe in the driver’s pocket. Based on the circumstances, the Fourth Amendment would not prohibit a warrantless search of a passengers belongings provided that the car was legally stopped. This scenario was similar to <i>Wyoming v. Houghton</i>. -Scenario 4: Search of a student where reasonable suspicion exists: School administrators only need reasonable suspicion that a school rule or law has been violated to search a student. In this case a trustworthy source saw the student pour alcohol into his/her water bottle and therefore reasonable suspicion existed. This case was similar to <i>New Jersey v. T.L.O.</i> in which the reasonable suspicion standard for schools was established.
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and ask students to write five words or less regarding the Fourth Amendment. 2. The SRO will ask student volunteers to share out responses. 3. The SRO will ask students if they have any questions regarding the lesson.
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1-4 2. Presentation Slide/Flip Chart A-D

Handout 1-Lesson Hook Hypothetical

Directions: Read the hypothetical below and answer the question that follows. You will have three minutes.

In Re: “Armed and Dangerous?”

Police Officer Ollic was conducting her routine patrol on Mytown Avenue. At approximately 1:30 p.m., she noticed a woman walking back and forth at a fast pace in front of Cooper’s Jewelers. The woman did this approximately six times before she spotted Officer Ollic. The woman was wearing a black hoodie and appeared to have something in the right pocket.

Officer Ollic approached the woman, and conducted a pat-down looking for weapons. The search revealed a gun and two bags of what later tested as heroin. The woman was arrested and charged with possession of heroin.

-Do you think the search was reasonable? State yes or no and explain why.

1. Case is based on the facts in *Terry v. Ohio*. 392 U.S. 1 (1968).
-

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define the terms *probable cause*, search warrant and *the Exclusionary Rule*;
2. Explain the Fourth Amendment, including the purpose and limits in a private setting;
3. Evaluate a legal issue, rule of law, application of facts, and conclusion of a landmark Supreme Court case;
4. Summarize South Carolina statutes on school searches, including Section 17-13-140, Section 17-13-30, and Section 17-13-40;
5. Apply the Fourth Amendment to hypothetical scenarios to determine whether a search is reasonable.

Presentation Slide/Flip Chart B: The Fourth Amendment & Terms to Know

The Fourth Amendment:

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

-Fourth Amendment to the United States Constitution

Terms to Know:

1. Probable cause - When a police officer has facts and knowledge from a very good source that would lead him/her to believe that a crime has been committed.
2. Search warrant- A sworn document by a police officer requesting to certain search places for certain items that the police officer reasonably believes could be evidence of a crime. The police officer generally must have probable cause to request a warrant and a judge must sign it. In South Carolina, a search warrant must be executed within ten days of being issued.
3. The Exclusionary Rule-A rule under which any evidence that is seized in violation of the Fourth Amendment, cannot be used as evidence against someone in court. In this case, a defendant can request that the evidence be excluded from the prosecution’s case against them.

Handout 2- South Carolina Laws on Searches and Seizures

Directions: Review and summarize the statutes below. Be prepared to discuss.

1. *Section 17-13-140 states that a judge or magistrate can sign a warrant to search and seize property that may be used as evidence of a crime when the police officer has probable cause.*
2. *Section 17-13-30 states that police officers can arrest someone without a warrant for offenses committed in view.*
3. *Section 17-30-40 states that an officer has jurisdiction when in pursuit of an offender.*

1. SC. Code Ann. § 17-13-30, 17-13-40, and 17-13-140 (2003).

Handout 3- Landmark and Local Cases on school searches

Directions: Read through each case. In the spaces provided below, write down a quick summary of the case and explain whether you think each search was reasonable.

Terry v. Ohio

In *Terry v. Ohio*, a police officer saw the defendant and another man acting suspiciously. According to the officer, the men were walking up and down a street, stopping and looking in a store window. They repeated this action several times. The officer thought they were “casing” the store and might be armed. In response to this suspicion, the officer confronted the men, asked them to identify themselves, and patted the men down. During the pat down, the officer found a gun on both Terry and the other man. Terry was charged with carrying a concealed weapon, and the gun was admitted as evidence against him. The case ultimately ended up at the Supreme Court.

Case summary and predicted outcome:

State v. Anderson

In *State v. Anderson*, the defendant was walking in the vicinity of an area where police were conducting a drug raid. The police ordered the defendant to the ground and conducted a search of his person. During the search, police found cocaine, and the defendant was charged with possession of cocaine with intent to distribute. The defendant filed a motion to suppress the evidence under the exclusionary rule, stating that there was no reasonable suspicion based on articulable facts to believe that the defendant was armed and dangerous to justify a pat-down. The trial court and the appellate court upheld the search. The case ultimately went to the South Carolina Supreme Court.

Case summary and predicted outcome:

1. *Terry v. Ohio*. 392 U.S. 1 (1968).
2. *State v. Anderson*, appellate case No: 2014-0001968 (Decided March 2, 2016).

Presentation Slide/Flip Chart C: South Carolina Laws and Cases on School Searches

South Carolina Laws:

1. Section 17-13-140 states that a judge or magistrate can sign a warrant to search and seize property that may be used as evidence of a crime when the police officer has probable cause.
2. Section 17-13-30 states that police officers can arrest someone without a warrant for offenses committed in view.
3. Section 17-30-40 states that an officer has jurisdiction when in pursuit of an offender.
-There are several exceptions to the search warrant requirement when a police officer does not need a warrant to conduct a search. These main exceptions include consent, plain view, fear of immediate destruction of evidence, in hot pursuit of a felon, and public safety exceptions.

Cases:

Terry v. Ohio

The Supreme Court upheld the search, stating that it is not an unreasonable search and seizure if a police officer conducts a stop-frisk or pat down of an individual as long as the police officer has a reasonable belief that a person is armed and presently dangerous and that a crime is about to occur or is occurring. In this case, the officer had a good reason to believe that the defendant and the man with him were casing the store to rob it and therefore had a right to stop and conduct a pat down.

State v. Anderson

In *State v. Anderson*, the defendant was walking in the vicinity of an area where police were conducting a drug raid. The police ordered the defendant to the ground and conducted a search of his person. During the search, police found cocaine and the defendant was charged with possession of cocaine with intent to distribute. The defendant filed a motion to suppress the evidence under the exclusionary rule, stating there was no reasonable suspicion based on articulable facts to believe that the defendant was armed and dangerous to justify a pat-down. The trial court and appellate court upheld the search. The case ultimately went to the South Carolina Supreme Court.

1. S.C. Code Ann. § 17-13-30, 17-13-40, and 17-13-140 (2003).
2. *Terry v. Ohio*. 392 U.S. 1 (1968).
3. *State v. Anderson*, appellate case No: 2014-0001968 (Decided March 2, 2016).

Handout 4. Fourth Amendment Carousel Activity

Directions: Read each scenario that is posted around the room with your group and write down whether the search conducted violated the Fourth Amendment. Provide an explanation for your answers and be prepared to discuss.

Scenario 1:

Sarah uses a phone in her friend's office regularly to call Devon, her drug dealer. Sarah frequently used the same phone booth and the police set up an electronic listening/recording device on the phone without a warrant. The recordings of Sarah's portion of the phone calls were used against her in Devon's trial for possession of narcotics. Sarah claimed that the police use of the device violated her Fourth Amendment right. Police claim that Sarah had no reasonable right to expect that her phone calls made from her friend's phone in her friend's office would be private.

Violation of the Fourth Amendment? Yes/No. Explanation:

Scenario 2:

Terrance and another man were charged with drug trafficking. The police knew that Terrance had been using his car to smuggle large amounts of heroin, and, when they saw him driving, they chased him, pulled him over, searched the car and found the drugs; all without a warrant. Terrance claimed that the warrantless search of his car violated his Fourth Amendment rights.

Reasonable Search? Yes/No. Explanation:

Scenario 3:

The police pulled over a car that failed to stop at a stop sign. Kristen was a passenger in the car. The police spotted what appeared to be a syringe with drugs in the pocket of the driver. Kristen was ordered out of the car, and the police questioned her; she gave a fake name. The police then searched her purse, found her real name, and discovered two bags of what appeared to be marijuana. Kristen argued that the search of her purse was unconstitutional under the Fourth Amendment.

Reasonable Search? Yes/No. Explanation:

Scenario 4:

A teacher at Mytown High School observed a student open what appeared to be a bottle of alcohol. The student then was observed pouring the alcohol into a water bottle. The teacher informed the school principal immediately, and the student was taken in to the principal's office. The student's book bag was then searched in the presence of the SRO. Upon searching the student's book-bag, the school administrator found a mini-bottle of Vodka and the water bottle. The student was charged as a minor in possession of alcohol.

Reasonable Search? Yes/No. Explanation:

1. Scenario 1 facts based on *Katz v. United States*, 389 U.S. 347 (1967).
2. Scenario 2 facts based on *Carroll v. United States*, 267 U.S. 132 (1925).
3. Scenario 3 facts based on *Wyoming v. Houghton*, 526 U.S. 295 (1999).
4. Scenario 4 facts based on *New Jersey v. T.L.O.*, 469, U.S. 325 (1985).

Presentation Slide/Flip Chart D: Fourth Amendment Carousel Activity/Answers

SITUATION	Fourth Amendment Violation?
1. Wire-tapping office phone...	Yes
2. Car-chase drug search...	No
3. Passenger search...	No
4. School Search...	No

Bullying



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Bullying

Overview	This lesson focuses on the definition of bullying both from a general standpoint, and the legal definition put forth by the South Carolina legislature. Students will explore issues surrounding bullying, both from the offender and victim perspective. Finally, students will look at ways to prevent bullying.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. To define the term “bullying.” 2. To determine the legal issues surrounding bullying. 3. To analyze recent issues concerning bullying. 4. To explore ways to prevent bullying.
Handouts	Handout 1. Bullying Acrostic Poem Handout 2. Bullying Article Reflection Handout 3. Socratic Seminar Handout 3A. Socratic Seminar Instructor’s Guide
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Bullying Defined in South Carolina
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and lesson hook: -Handout 1 -Presentation Slide/ Flip Chart A: -Presentation Slide/ Flip Chart B: 10 Minutes	<ol style="list-style-type: none"> 1. The SRO will give each student a copy of the Acrostic Poem Handout. The students will create an acrostic poem using the word “BULLYING.” They will hang their poems around the classroom. The SRO will lead a discussion of the poems, focusing on the components of bullying. 2. The SRO will share the following general definition of Bullying: <ol style="list-style-type: none"> a. Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems.

Bullying, *continued*

<p>Introduction and Lesson Hook: <i>continued</i></p>	<p>3. The SRO will share the SC Statute defining bullying: SECTION 59-63-120. Definitions. As used in this article:</p> <p>(1) "Harassment, intimidation, or bullying means a gesture, an electronic communication, or a written, verbal, physical, or sexual act that is reasonably perceived to have the effect of:</p> <p>(a) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage; or</p> <p>(b) insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school.</p> <p>(2) "School" means in a classroom, on school premises, on a school bus or other school-related vehicle, at an official school bus stop, at a school-sponsored activity or event whether or not it is held on school premises, or at another program or function where the school is responsible for the child.</p>
<p>Review of Impact of Bullying : -Presentation Slide/ Flip Chart B <i>25 Minutes</i></p>	<p>The SRO will give each student a copy of one of the following articles on bullying. Below are several articles from which to choose. The instructor may have the entire class read one article, he/she may have different groups read different articles, or he/she may allow the students to locate their own articles.</p> <p>- Teens Taunted by Bullies Are More Likely to Consider/Attempt Suicide LA Times http://articles.latimes.com/2014/mar/10/science/la-sci-sn-bullying-cyberbullying-suicide-risk-20140310</p> <p>- Bullying and Teasing: No Laughing Matter Scholastic.com http://www.scholastic.com/parents/resources/article/social-emotional-skills/bullying-and-teasing-no-laughing-matter</p> <p>- Bullying By Peers Has Effects Later in Life CNN http://www.cnn.com/2015/05/08/health/bullying-mental-health-effects/index.html</p> <p>- All Kids Deserve to be Safe From Bullying NEA http://neatoday.org/2014/10/07/all-kids-deserve-to-be-safe-from-bullying-jakes-story-3/</p> <p>The SRO will give each student a copy of the Reflection Handout. Each student will complete a reflection on the article he/she read.</p>
<p>Socratic Seminar on Bullying: -Handout 3 -Handout 3A <i>25 Minutes</i></p>	<p>Socratic Seminar: The SRO will lead the students through a Socratic seminar. The students will arrange their chairs or desks in a circle. The SRO will lead the class through a discussion of bullying. The SRO may use the Socratic Seminar Handout to facilitate the seminar. In this type of discussion, the SRO should stress that students speak directly to one another, not just to the SRO as the discussion leader. Students should look to evidence from the articles they have read and the laws they have learned to support their statements. Students are encouraged to question one another as they are moving through the discussion to seek greater understanding.</p>

Bullying, *continued*

Closing
25 Minutes

1. The SRO will thank students for their time.
2. The SRO will ask students if they have any questions regarding the lesson.

Handout 1- Bullying Acrostic Poem

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Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. To define the term “bullying.”
2. To determine the legal issues surrounding bullying.
3. To analyze recent issues concerning bullying.
4. To explore ways to prevent bullying.

Presentation Slide/Flip Chart B: Bullying Defined

Generally:

Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems.

South Carolina Law Defines Bullying as:

SECTION 59-63-120. Definitions.

As used in this article:

(1) "Harassment, intimidation, or bullying means a gesture, an electronic communication, or a written, verbal, physical, or sexual act that is reasonably perceived to have the effect of:

(a) harming a student physically or emotionally or damaging a student's property, or placing a student in reasonable fear of personal harm or property damage; or

(b) insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Handout 2- Bullying Article Reflection

1. Write a one-paragraph summary of the article you read.

2. Explain the impacts of bullying discussed in your article.

3. Write a one-paragraph reflection on the article you read.
This reflection should include your opinions concerning the events described in the article as well as your opinions concerning bullying in general.

Handout 3. Bullying Socratic Seminar

1. What is the first word that comes to your mind when you hear the word bullying?
2. What actions constitute bullying?
3. What is the difference between good-natured teasing and bullying?
4. What are the negative impacts of bullying?
5. What causes some kids to bully others?
6. Are some kids more likely to be bullied than others? Explain.
7. What responsibilities do schools have to stop bullying?
8. Should it be against the law to bully others? If so, what punishments should be enacted?
9. What can students do to stop bullying?

Handout 3A. Bullying Socratic Seminar Instructor's Guide

The SRO will go around the room and have each student answer this question. This activity will "break the ice," opening the door for discussion.

1. What is the first word that comes to your mind when you hear the word bullying?

The SRO will then ask the following questions to the whole group. Students may respond to the questions or to the comments of other students.

2. What actions constitute bullying?
3. What is the difference between good-natured teasing and bullying?
4. What are the negative impacts of bullying?
5. What causes some kids to bully others?
6. Are some kids more likely to be bullied than others? Explain.
7. What responsibilities do schools have to stop bullying?
8. Should it be against the law to bully others? If so, what punishments should be enacted?
9. What can students do to stop bullying?



Cyberbullying



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Cyberbullying

Overview	This lesson focuses on defining cyberbullying and evaluating how South Carolina has approached the problem. Students will learn the definition of cyberbullying, and what South Carolina laws are applicable.
Outcome(s)	As a result of the lesson, the student will be able to: 1. To determine the legal definition of cyberbullying pursuant to state and municipal laws in South Carolina. 2. To analyze South Carolina court cases that have defined cyberbullying. 3. To explore ways to prevent cyberbullying.
Handouts	Handout 1. Cyberbullying Graphic Organizer Handout 2. Cyberbullying Laws and Policies Handout 3. Word cloud example Handout 4. Cyberbullying News Stories Handout 5. Glossary of Cyberbullying Terms
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: General Definition of Cyberbullying, and relevant South Carolina Laws
Multimedia and Web Resources	https://www.stopbullying.gov/cyberbullying/what-is-it/index.html http://cyberbullying.org/bullying-laws/south-carolina https://stopbullying.gov/laws/federal/index.html
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Icebreaker: <i>25 Minutes</i>	1. The SRO will begin by introducing him/herself and tell students that today they will learn about cyberbullying and what South Carolina statutes address the problem. 2. To start the session and open students up to learning about what can be a sensitive topic, the SRO will conduct an icebreaking activity. For this session a Yarn Web is recommended as an Icebreaker. In this activity, students form a circle facing inward. The SRO starts with a ball of yarn, holding the end of the yarn. The SRO then tosses the ball of yarn to one student. That student says a word or phrase linked to the idea of cyberbullying and then tosses the yarn ball to another student, while still holding the string originally thrown by the SRO. As the ball is thrown back and forth across the circle, unravelling as it goes, it creates a web in the circle, linking the students together.

Cyberbullying, *continued*

<p>Cyberbullying – The Laws : -Presentation Slide/ Flip Chart A -Presentation Slide/ Flip Chart B -Handout 1 -Handout 2 -Handout 3 -Handout 5</p>	<ol style="list-style-type: none"> 1. The Laws: The SRO will give each student a copy of the Cyberbullying Graphic Organizer. In groups, the students will find the federal guidelines, South Carolina laws, and local school district policies pertaining to cyberbullying. The groups will reword the statutes and policies in language that most teenagers can understand. The groups will share their findings and the class will discuss the definitions and ramifications of cyberbullying. The SRO will ask students what changes they would make to the existing laws. Note: If students do not have access to online resources, the SRO will need to make copies of the laws and policies from the Laws and Policies Handout. 2. The SRO will break up the class into 5 to 6 groups depending on class size. The SRO will then pass out colored pencils or marker sets to each of the groups. With the sample Word Cloud projected up as an example, instruct the students that each group will create a word cloud relating to cyberbullying. This can include vocabulary terms.
<p>Cyberbullying in the News Reporting Activity: -Handout 4 -Handout 5 25 Minutes</p>	<p><u>The News</u></p> <ol style="list-style-type: none"> 1. Prior to class, the SRO will print a copy of the Cyberbullying News Stories handout. The SRO will cut the news story titles into strips. Each group will draw one strip from a basket. 2. In groups, the students will create a newscast in which all of the segments relate to cyberbullying. They will write and rehearse a script for their segment. At presentation, the SRO will act as the news anchor. He/she will sit at the front of the room and call on each group to present their segment. It is recommended that the news stories last two minutes and the PSAs last 30 seconds each. 3. To expand on this activity, the SRO may work with the school’s media specialist to arrange for filming of the newscast for use either as a whole or in segments as part of a school wide bullying and cyberbullying prevention effort.
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time. 2. The SRO will ask students if they have any questions regarding the lesson.

Handout 1-Cyberbullying Graphic Organizer



Federal Cyberbullying Laws

Empty blue rectangular box for notes on Federal Cyberbullying Laws.



S.C. Cyberbullying Laws

Empty blue rectangular box for notes on S.C. Cyberbullying Laws.



Local School District Cyberbullying Policies

Empty blue rectangular box for notes on Local School District Cyberbullying Policies.

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. To determine the legal definition of cyberbullying pursuant to state and municipal laws in South Carolina.
2. To analyze South Carolina court cases that have defined cyberbullying.
3. To explore ways to prevent cyberbullying.

Presentation Slide/Flip Chart B: **Cyberbullying Defined**

Cyberbullying is bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behavior.

The most common places where cyberbullying occurs are:

- Social Media, such as Facebook, Instagram, Snapchat, and Twitter
- SMS (Short Message Service) also known as Text Message sent through devices
- Instant Message (via devices, email provider services, apps, and social media messaging features)
- Email

POLICIES & LAWS

Key Components of State Laws

Federal Laws

Federal Laws

Although no federal law directly addresses bullying, in some cases, bullying overlaps with discriminatory harassment when it is based on race, national origin, color, sex, age, disability, or religion. When bullying and harassment overlap, federally-funded schools (including colleges and universities) have an obligation to resolve the harassment. When the situation is not adequately resolved, the U.S. Department of Education's Office for Civil Rights and the U.S. Department of Justice's Civil Rights Division may be able to help.

Are there federal laws that apply to bullying?

At present, no federal law directly addresses bullying. In some cases, bullying overlaps with discriminatory harassment which is covered under federal civil rights laws enforced by the U.S. Department of Education (ED) and the U.S. Department of Justice (DOJ). No matter what label is used (e.g., bullying, hazing, teasing), schools are obligated by these laws to address conduct that is:

- ▶ Severe, pervasive or persistent
- ▶ Creates a hostile environment at school. That is, it is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school
- ▶ Based on a student's race, color, national origin, sex, disability, or religion*
 - ▶ Although the US Department of Education, under Title VI of the Civil Rights Act of 1964 does not directly cover religion, often religious based harassment is based on shared ancestry of ethnic characteristics which is covered. The US Department of Justice has jurisdiction over religion under Title IV of the Civil Rights Act of 1964.

What are the federal civil rights laws ED and DOJ enforce?

- ▶ A school that fails to respond appropriately to harassment of students based on a protected class may be violating one or more civil rights laws enforced by the Department of Education and the Department of Justice, including:
 - ▶ Title IV and Title VI of the Civil Rights Act of 1964
 - ▶ Title IX of the Education Amendments of 1972
 - ▶ Section 504 of the Rehabilitation Act of 1973
 - ▶ Titles II and III of the Americans with Disabilities Act
 - ▶ Individuals with Disabilities Education Act (IDEA)

Do federal civil rights laws cover harassment of LGBT youth?

Addressing Harassment

The U.S. Department of Education has released several guidance letters on the obligation for schools to address harassment and specific considerations for sexual harassment, sexual violence, disability harassment, harassment based on race, religion, or national origin, harassment based on gender identity or transgender status, and denial of FAPE under the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.

- ▶ Title IX and Title IV do not prohibit discrimination based solely on sexual orientation, but they protect all students, including students who are LGBT or perceived to be LGBT, from sex-based harassment.
- ▶ Harassment based on sex and sexual orientation are not mutually exclusive. When students are harassed based on their actual or perceived sexual orientation, they may also be subjected to forms of sex discrimination recognized under Title IX.

What is an example of a case where harassment based on sex and sexual orientation overlap?

- ▶ A female high school student was spit on, slammed into lockers, mocked, and routinely called names because she did not conform to feminine stereotypes and because of her sexual orientation. The student had short hair, a deep voice, and wore male clothing. After the harassment started, she told some classmates she was a lesbian, and the harassment worsened. The school described the harassment as "sexual orientation harassment" in its incident reports and did not take any action.
- ▶ In this case, the student was harassed based on her non-conformity to gender stereotypes. In this case, then, although the school labeled the incident as "sexual orientation harassment," the harassment was also based on sex and covered under Title IX.

What are a school's obligations regarding harassment based on protected classes?

Anyone can report harassing conduct to a school. When a school receives a complaint they must take certain steps to investigate and resolve the situation.

- ▶ Immediate and appropriate action to investigate or otherwise determine what happened.
- ▶ Inquiry must be prompt, thorough, and impartial.
- ▶ Interview targeted students, offending students, and witnesses, and maintain written documentation of investigation
- ▶ Communicate with targeted students regarding steps taken to end harassment
- ▶ Check in with targeted students to ensure that harassment has ceased
- ▶ When an investigation reveals that harassment has occurred, a school should take steps reasonably calculated to:
 - ▶ End the harassment,
 - ▶ Eliminate any hostile environment,
 - ▶ Prevent harassment from recurring, and
 - ▶ Prevent retaliation against the targeted student(s) or complainant(s).

What should a school do to resolve a harassment complaint?

- ▶ Appropriate responses will depend on the facts of each case.
- ▶ School must be an active participant in responding to harassment and should take reasonable steps when crafting remedies to minimize burdens on the targeted students.
- ▶ Possible responses include:
 - ▶ Develop, revise, and publicize:
 - ▶ Policy prohibiting harassment and discrimination
 - ▶ Grievance procedures for students to file harassment complaints
 - ▶ contact information for Title IX/Section 504/Title VI coordinators
 - ▶ Implement training for staff and administration on identifying and addressing harassment

- ▶ Provide monitors or additional adult supervision in areas where harassment occurs
- ▶ Determine consequences and services for harassers, including whether discipline is appropriate
- ▶ Limit interactions between harassers and targets
- ▶ Provide harassed student an additional opportunity to obtain a benefit that was denied (e.g., retaking a test/class).
- ▶ Provide services to a student who was denied a benefit (e.g., academic support services).

Are there resources for schools to assist with resolving harassment complaints?

The Department of Justice's [Community Relations Service](#) is the Department's "peacemaker" for community conflicts and tensions arising from differences of race, color and national origin and to prevent and respond to violent hate crimes committed on the basis of: gender, gender identity, sexual orientation, religion, disability, race, color, and national origin. It is a free, impartial, confidential and voluntary Federal Agency that offers mediation, conciliation, technical assistance, and training.

What if the harassment continues?

If harassment persists, consider filing a formal grievance with the district and contacting the [U.S. Department of Education's Office for Civil Rights](#) and from the [U.S. Department of Justice's Civil Rights Division](#).

Content last updated on March 31, 2014

Was this page helpful?

- Yes
- No

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RESOURCES

LAWS

RESEARCH

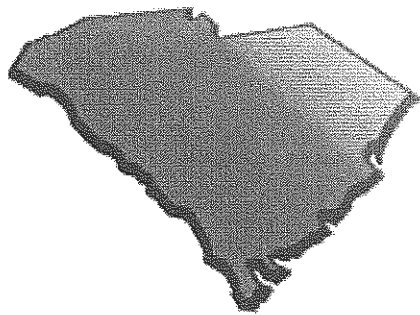
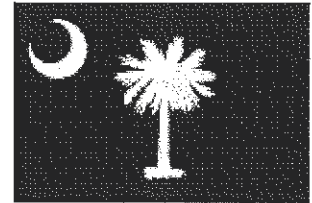
PRESENTATIONS

BLOG

BOOKS

CONNECT

Bullying Laws in South Carolina



H.B. 3573, 2006: South Carolina Code §59-63-120, §59-63-140; Extends bullying to electronic means of communication. Developed Safe School Climate Act which leaves it up to School Districts to decide the actions to take;

http://www.scstatehouse.gov/sess116_2005-2006/bills/3573.htm

Criminal electronic harassment: [Harassment and Stalking \(SECTION 16-3-1700\)](#)

Recent Updates

Be Careful Who You "Friend" Online: A Cautionary Tale

My Fulbright Award for Bullying and Cyberbullying Prevention

The Skinny on Sarahah

Full-day Educator Workshop

Half-day Educator Workshop

Parent and Community Presentation

Presentation Slide/Flip Chart B: Cyberbullying Defined - Continued

South Carolina Code 59-63-120 and 59-63-140 were modified in 2006 to extend bullying to cover electronic means of communication. This was included as part of the Safe School Climate Act. Under this act, it is the responsibility of the schools to take action with regard to cyberbullying.

South Carolina Code 16-3-1700 covers criminal electronic harassment and can be applied in cases of cyberbullying.

Handout 3 - Cyberbullying Word Cloud Example



Handout 4 - Cyberbullying News Stories

a. News Story:

*A Case of Bullying at _____
School* (Insert the name of your school or of
a fictional school.)

b. News Story:

*Local Teen Arrested and Convicted of
Cyberbullying*

c. News Story:

Statistics of Cyberbullying

d. Public Service Announcement:

How to Protect Yourself from Cyberbullying

e. Public Service Announcement

How to Report Cyberbullying

f. Public Service Announcement

*South Carolina Laws Concerning
Cyberbullying*

g. Public Service Announcement

*School District Policies Concerning
Cyberbullying*

Glossary of Cyberbullying Terms

The following reflect the most common forms of cyberbullying, though this list is not exhaustive.

- **Flaming:** Online fights using electronic messages with angry and vulgar language.
- **Harassment:** Repeatedly sending offensive, rude and insulting messages.
- **Cyberstalking:** Repeatedly sending message that include threats of harm or are highly intimidating; engaging in other online activities that make a person afraid for his or her safety.
- **Denigration:** “Dissing” someone online. Sending or posting cruel gossip or rumors about a person to damage his or her reputation or friendships.
- **Exclusion:** Intentionally excluding someone from an online group, like a “buddy list” or a game.
- **Trolling:** Intentionally posting provocative messages about sensitive subjects to create conflict, upset people, and bait them into “flaming” or fighting.
- **Impersonation:** Breaking into someone’s account, posing as that person and sending messages to make the person look bad, get that person in trouble or danger, or damage that person's reputation or friendships.
- **Outing and trickery:** Sharing someone’s secrets or embarrassing information online. Tricking someone into revealing secrets or embarrassing information, which is then shared online.

Willard, Nancy. An Educator’s Guide to Cyberbullying and Cyberthreats. Center for Safe and Responsible Internet Use, <http://www.cyberbully.org/cyberbully/docs/cbcteducator.pdf> (accessed January 2008). All definitions from Willard and used with permission, except for “trolling” definition, which was created by ADL.

Child Abuse



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Child Abuse

Overview	This lesson focuses on making students aware of the South Carolina legal definitions for child abuse and neglect. As a result of this lesson, students will be able to identify risk factors, know who are mandatory reporters in South Carolina and identify resources available to victims.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Define child abuse and neglect. 2. Identify child abuse and neglect risk factors. 3. Define and identify mandatory reporters. 4. Identify state and local resources available to victims and others affected by child abuse and neglect.
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: -Presentation Slide/ Flip Chart A: <i>5 Minutes</i>	The topic of child abuse and neglect may be an extremely sensitive topic for the students because of the possibility that one or more of them might be victims themselves or have friends or family who are victims. Students might want to share personal examples of abuse or neglect. Remind them not to use real names and to come speak with you if they or someone they know might need help.
Defining the Differences Between Neglect and Child Abuse <i>20 Minutes</i>	<p>Ask the students to define neglect and abuse. Write their answers on the board or a flip chart. Then provide them with the definition from the S.C. Code contained in the background materials. Be sure that you identify the specific types of abuse (physical, emotional, sexual) and neglect (physical, emotional, educational and medical).</p> <p>Ask students the following questions:</p> <ul style="list-style-type: none"> • What are the responsibilities of a parent or caregiver? • What are things a parent or caregiver should not do? <p>The instructor or a designated student could write students' ideas on the board using a t-chart with a column for each question. Complete the list for the first question before going to the second.</p>

Child Abuse, *continued*

Defining the Differences Between Neglect and Child Abuse *Continued*

Once you have the list, go through the lists and ask the students to identify if something on the list would be considered abuse or neglect, and what type. For the list of parent/caregiver responsibilities, would the absence of the item be considered abuse/neglect? Also, identify those responses that would not rise to the level of neglect, such as buying expensive gaming systems or name brand shoes/clothes. Wearing jeans from a discount store and not from a designer is not evidence of abuse or neglect. Also, you might want to be prepared for someone to mention that his religious beliefs don't allow him to have certain medical procedures or that his parents don't want to have younger siblings vaccinated because of fear of side effects. If that happens, you may have to mention that sometimes the court has to become involved in family matters when the child is not old enough to make decisions for himself. Do not get bogged down in this discussion. You may also take this opportunity to talk about what things an officer would look for in determining if a child should be removed from a situation and require EPC.

Ask the students why they think a parent or caregiver would neglect or abuse a child. Risk factors can include things like 1) the parent was abused as a child; 2) family stress/violence in the family; 3) economic stress; 4) drug or alcohol use/abuse by the parent(s); or 5) mental health issues. Make sure students understand that abuse and neglect are not based on social or racial characteristics but can happen in any neighborhood.

When you feel that the students have a grasp of the concept, move into a discussion of mandatory reporters in South Carolina. Explain to the students that the law requires certain people to report suspected child abuse. Ask the students why they think South Carolina, and other states, require certain people to report their suspicions of child abuse or neglect. Write their answers on the board or a flipchart. Some answers could include: 1) children are not able to provide for their own care when they are small; 2) it's a parent's responsibility to take care of their kids; 3) children don't know they can call the police/aren't able to call; or similar responses. Spend a short time talking about the obligation of the State (government) to provide for the care of its citizens, which includes children who are not able to provide for themselves.

Next, ask the students who they think should be required to report their suspicions of abuse and neglect and why they think those individuals/professions should be required to report. Write their answers on the board or a flip chart. Compare their answers with the mandatory reporters listed in the statute.

Stress to them that abuse and neglect are NEVER the fault of the child. They need adults to be responsible for a safe and nurturing environment conducive to healthy growth and development. If a parent or caregiver is failing to provide it, other adults must step in to correct the problem. Hence, there are mandatory reporting laws.

Recognizing signs of Abuse and Neglect: *20 Minutes*

Divide the class into small groups of three to five students in each. Each group should select a scribe to jot down their ideas. Ask the students to list physical or emotional signs/behaviors that could indicate abuse/neglect. You may assign each group a different type of abuse/neglect (physical abuse, emotional abuse, physical neglect, emotional neglect, medical neglect) or have them identify symptoms in general.

After students have identified signs of abuse, ask them what they should do if they experience these symptoms or know someone who exhibits these symptoms. Explain that they can talk to a trusted teacher, SRO or other adult. Provide them with the contact information for assistance in your area—crisis lines, local police or other social service agencies.

Child Abuse, *continued*

Closing <i>5 Minutes</i>	<ol style="list-style-type: none">1. The SRO will thank students for their time.2. The instructor needs to review the difference between abuse and neglect. Remind the students that abuse is NEVER the fault of the child and that there are places where they can get help if they or someone they know is the victim of abuse and/or neglect. Be sure to stress that you are available to talk if they need assistance.3. The SRO will ask students if they have any questions regarding the lesson.
Technology Options and Follow-up Activities for Extended Learning	<p>There a number of excellent resources students could investigate if they have online access.</p> <p>South Carolina Bar https://www.sctbar.org/public/get-legal-help/common-legal-topics/child-abuse-and-neglect/</p> <p>South Carolina Department of Social Services https://dss.sc.gov/abuseandneglect/child-protective-services/</p> <p>Children’s Trust of South Carolina https://scchildren.org/</p>

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define child abuse and neglect.
2. Identify child abuse and neglect risk factors.
3. Define and identify mandatory reporters.
4. Identify state and local resources available to victims and others affected by child abuse and neglect.

Dating and Sexual Assault



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A Training Guide for School Resource Officers

Lesson Plan: Dating and Sexual Assault

<p>Overview</p>	<p>Dating and sexual assault is a significant subject that requires a degree of sensitivity in teaching. Prior to teaching this session, the instructor should ensure that the school is aware that the topic will be taught and any necessary parental permissions have been obtained. In some school settings, the topic will be more appropriate in a health unit. In other settings, the school may prefer to address this topic in single gender classes rather than a mixed gender setting. The instructor should check with the school administration to determine the appropriate setting and class composition for this topic. While the majority of sexual assaults cases are heterosexual cases, the elements of sexual assault are the same in cases where the assailant and the victim are the same gender. In addition, the instructor should be mindful that there may be students in the class who have been the victims of sexual assault or abuse. It is imperative that the instructor be mindful of the sensitive nature of this topic and comply with all requirements set by the school/district.</p> <p>Given the sensitive nature of this topic, we strongly recommend that you co-teach this lesson. The teacher will be in a position to provide information on the students, who will work well together and if there are particular students who will find this topic more difficult to discuss.</p>
<p>Outcome(s)</p>	<p>As a result of the lesson, the student will be able to:</p> <ol style="list-style-type: none"> 1. Define the terms: <ol style="list-style-type: none"> a. Consent b. Rape, including date rape and acquaintance rape c. Sexual assault d. Sexual battery incapacity e. Impairment 2. Identify the elements of the various levels of sexual assault as defined by the South Carolina Code of Laws. 3. Explain the importance of consent and identify those situations where a party is unable to give consent. 4. List steps victims of sexual assault and rape should immediately take after the crime. 5. Consider facts and propose information teenagers should have about sexual assault and rape. 6. Identify resources available to assist victims of sexual assault, including police officers and other people and organizations in the community
<p>Handouts</p>	<p>Handout 1. Important Terms Concerning Sexual Assault Handout 2. Important Terms Concerning Sexual Assault – What They Actually Mean Handout 3. Scenarios Handout 4. Facts about Sexual Assault Handout 5. Statistics about Sexual Assault in South Carolina</p>
<p>Presentation Slide/Flip Charts</p>	<p>Presentation Slide/Flip Chart A: Lesson Outcomes</p>

Dating and Sexual Assault, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

<p>Introduction and Lesson Hook: -Handout 1 -Handout 2 -Presentation Slide/ Flip Chart A: 20 Minutes</p>	<p>Ensure that you have enough copies of the handouts for each student.</p> <p>After the students enter, divide them into pairs (a group of three may be necessary if there are an odd number of students). After introducing yourself, explain that the class is going to address a very sensitive but important topic – Dating and Sexual Assault.</p> <p>Give each group the Handout – Important Terms Concerning Dating and Sexual Assault: What Do You Think They Mean? Tell them to develop definitions for each word. Once the groups have had time to develop (5-7 minutes) definitions, ask them to share their definitions. Writing those definitions on the board, look for the common elements identified by the students.</p> <p>Next, give the students the Handout - Important Terms Concerning Dating and Sexual Assault: What They Actually Mean. Have them compare what they came up with and the actual definitions. Lead a whole class discussion, going over each term and answering their questions. Pay particular attention to their understanding of consent and impairment. You should stress the relationship between consent and impairment/inability to consent and also the ability to withdraw consent.</p>
<p>Dating and Sexual Assault: Scenarios: -Handout 3 20 Minutes</p>	<p>Using the information above to assist in the discussion, ask the students to answer the following questions. Tape the word TRUE on one side of the room and FALSE on the other. As you ask the questions, have the students stand on the side with their answer to the question. Keep a tally of how the students voted on each question. Ask all questions before ending the exercise. Before giving them the correct answer, ask them to explain why they answered as they did.</p> <ol style="list-style-type: none"> 1. True or false: Males are more likely to be victims of sexual assault than females. 2. True or false: A person is more likely to be assaulted by a stranger than by someone they know. 3. True or false: The most likely group to be assaulted is white females. 4. True or false: Victims of assault are more likely to be over the age of 18. 5. True or false: The younger a person is, the greater the risk of sexual assault. <p>Go over the information on the chart above and provide students with a copy of the handout Facts About Sexual Assault.</p> <p>Tell the students that you are going to provide them with seven important facts about rape and sexual assault. Pass out Handout 4 – Sorting Out the Facts About Rape and Sexual Assault. Explain that you want each group to read the handout and select the three pieces of information you think every young person should know.</p> <p>Conduct a whole class discussion having each group share their thoughts and reasoning.</p>
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and ask students to write one sentence about sexual assault. 2. The SRO will ask student volunteers to share out responses. 3. The SRO will ask students if they have any questions regarding the lesson.

Dating and Sexual Assault, *continued*

Technology Options and Follow-up Activities for Extended Learning

There are a number of websites that students could explore:

The Rape, Abuse and Incest National Network (RAINN) is an excellent resource on topics such as survivor stories, political news, how to recognize sexual trauma, statistics and a hotline to call if one needs help.

<https://www.rainn.org/>

The South Carolina Department of Health and Environmental Control (DHEC) has a webpage that discusses teen sexual violence and links to other resources.

<http://www.scdhec.gov/Health/ChildTeenHealth/Teens/DatingViolence/>

The National Center on Domestic and Sexual Violence focuses primarily on domestic violence in the military and upon financially-disadvantaged women. Its resources page has a number of links that provide even more information. It can be found at:

www.ncdsv.org/

South Carolina Coalition Against Domestic Violence and Sexual Assault is the statewide coalition of organizations providing intervention services to victims and survivors of domestic violence and sexual assault and Primary Prevention programs to students and communities across the state.

<http://www.sccadvasa.org/>

Bureau of Justice Statistics – information on sexual assault and rape including statistics:

<https://www.bjs.gov/index.cfm?ty=tp&tid=317>

Handout 1: Important Terms Concerning Dating and Sexual Assault: What Do You Think They Mean?

Directions: In your group, discuss the following terms and write what you think each one means. If you have no idea, just leave it blank.

Consent:

Rape:

Date rape:

Acquaintance rape:

Sexual assault:

Impairment:

Incapacity:

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define the terms:
 - a. Consent
 - b. Rape, including date rape and acquaintance rape
 - c. Sexual assault
 - d. Sexual battery incapacity
 - e. Impairment
2. Identify the elements of the various levels of sexual assault as defined by the South Carolina Code of Laws.
3. Explain the importance of consent and identify those situations where a person is unable to give consent.
4. List steps victims of sexual assault and rape should immediately take after the crime.
5. Consider facts and propose information teenagers should have about sexual assault and rape.

Identify resources available to assist victims of sexual assault, including police officers and other people and organizations in the community.

Handout 2- Important Terms Concerning Dating and Sexual Assault: What They Actually Mean

Consent: An agreement given equally, free of any type of threat, by all partners to engage in a specific activity at the moment. Furthermore, it can be changed at any time. "No" means "no" and it is okay for a "yes" to become a "no" at any point.

Rape: Sexual intercourse without one person's consent.

Date rape: rape by someone the victim has agreed to go on a date with.

Acquaintance rape: rape by someone whom the victim knows, which could include date rape.

Sexual assault: Any type of sexual contact (not just intercourse or "rape") against some's will and without consent.

Impairment: condition where a person is temporarily unable to give consent to an activity due to a physical condition, such as being under the influence of alcohol or other chemical substances.

Incapacity: a physical or mental disease or defect that makes a person temporarily or permanently incapable of providing consent.

her sweater. Beth tries to stop him and he pushes her into the back seat. He rips her shirt and forces her to have intercourse. She is crying. William tells her that she asked for it, she knew what would happen when she agreed to go there rather than home, so she should just stop crying. He takes her home and leaves her. She is ashamed and embarrassed. She wonders if it was her fault and isn't sure if she was raped. She wonders if anyone will believe her. Should she report this to the police?

Handout 4 – Facts about Sexual Assault

Based on SLED statistics from 2008-2012

1. Females are more likely than males to be victims of sexual assault. Over 85% of sexual assault victims in South Carolina are female.
2. Children are more likely to be victims than adults. Approximately 63% of victims are under the age of 17. Reported data indicates that the highest number of reported incidents were of females between 10 and 14 and males between 5 and 9. Girls are 5 times as likely to be victims as boys.
3. White females are more likely to be victims.
4. Victims are more likely to know their assailant. Approximately 80% of sexual assaults are committed by a family member or someone known by the victim.
5. Children are more likely to be victimized by people they know or family members. Adults are more likely to be victimized by people they know and strangers.
6. Alcohol played a role in approximately 16% of reported sexual assaults. The offender was twice as likely to use alcohol as the victim. "Date rape" drugs were reported by 3.2% of victims.
7. Hispanic victims are less likely to report sexual violence.
8. According to the S.C. Coalition Against Domestic Violence and Sexual Assault (SCCADVASA) website,
 - a. In 2014 over 5,500 individuals accessed services for the first time at a Rape Crisis Center in South Carolina. (DHEC statistics)
 - b. Nearly 1 in 5 women and 1 in 71 men report being raped during their lifetime.
 - c. 45.9% of South Carolina women and 17.8% of men in our state report being victims of sexual violence or coercion other than rape.

Source: <http://www.sccadvasa.org/know-more/>

Handout 5 – Sexual Assault Statistics

Background information for teacher/instructor:

		Sexual Assaults					
Sex		Age		Age & Sex			
Female	16331	Children (under 17)	12105	Female		Male	
Male	2830	Adults (over 18)	6793	under 18	9671	under 18	2432
Unknown	10	unknown	273	over 18	6453	over 18	340
TOTAL	19171	TOTAL	19171	TOTAL	16124		2772
Race/National Origin		Race & Sex		Children	Female	Male	
Asian	53	Non-White female	5914	4 & younger	1447	609	
Black	6890	Non-white males	983	5 - 9 years	2141	1016	
Native American	32	unkown	154	10-14 years	3707	564	
Unkown	162	white females	10334	15-17 years	2376	243	
White	12304	white males	1677				
TOTAL	19441	Total	19062	Adults	Female	Male	
				18-24 years	2656	152	
Victim Offender Relationship				25-34 years	1735	87	
Ex-spouse	46			35-44 years	1081	39	
Family member	5419			45-54 years	669	32	
Knew the offender	10870			55-64 years	202	18	
marital	289			65 & older	110	12	
romantic	891						
Stranger	2126						
Unkown relationship	2025						

At the time this lesson was developed, the most recent data from the S. C. Law Enforcement Division website covered 2008-2012. Instructors should check the website before teaching this unit to determine if the information has been updated.

http://www.scdps.gov/ohsjp/stats/SexualViolence/index_sexualviolence.htm

Arson



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Lesson Plan:
The Definition and Prevention of Arson

Overview	This lesson focuses on arson in South Carolina. Students will review the legal definitions of arson as set forth by state statute and municipal code. Students will examine the different general causes of arson fires and evaluate the different levels of arson.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Determine the legal definition of arson pursuant to state and municipal laws in South Carolina; 2. Analyze South Carolina court cases that have defined arson; 3. Explore ways to prevent arson.
Handouts	Handout 1. Three Truths and a Lie Handout 2. Venn Diagram Handout 3. Research Chart Handout 3A. Research Chart – Instructors Copy
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Categories of Arson
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: -Handout 1 -Presentation Slide/Flip Chart A: 20 Minutes	The SRO will begin the class by giving each student a copy of the “Three Truths and a Lie” handout. Students will individually attempt to determine which of the following statements are true and which statement in each set is untrue. The students will then discuss their opinions with other students. Finally, the SRO will provide the students with the correct answers. <u>“Three Truths and a Lie” Set One</u> a. Most vandalism fires are started by juveniles. b. Setting fire to a tree is considered arson. (untrue) c. Setting accidental fires, even those that harm others, is not considered arson. d. Prison sentences are possible if one is convicted of First, Second or Third Degree Arson. <u>“Three Truths and a Lie” Set Two</u> a. Someone may be convicted of arson even if he/she did not actually start the fire in question. b. A person who sets fire to his/her own home cannot be convicted of arson. (untrue) c. Some arsonists set fire merely for excitement. d. Someone must be seriously injured for first degree arson to have occurred.

The Definition and Prevention of Arson, *continued*

<p>Review of types of Arson : -Presentation Slide/ Flip Chart B <i>20 Minutes</i></p>	<p>The SRO will define arson. In South Carolina, the crime of <i>arson</i> requires an intentional burning to a structure of some kind. S.C. Code Ann. § 16-11-110. There are three <i>degrees</i> of arson - which means that there are three levels of the crime. First degree arson is the most serious and can result in the highest penalty, while third degree arson is the least serious and carries the lowest penalty. However, all degrees of arson have severe penalties that can result in long jail sentences.</p> <ol style="list-style-type: none"> 1. First degree arson is when a person “willfully and maliciously” sets a fire to a building or structure that causes death or serious bodily injury to a person. S.C. Code Ann. § 16-11-110(A). 2. Second degree arson is when an arsonist - someone who commits arson - “willfully and maliciously” causes a fire that damages a dwelling home or any structure designed for human occupancy. Examples of structures designed for human occupancy could be homes, businesses, schools and churches. S.C. Code Ann. § 16-11-110(B). 3. Third degree arson is when a person causes a fire that damages other types of structures. Examples of other types of structures could be railway cars, aircraft or automobiles. S.C. Code Ann. § 16-11-110(C).
<p>Research on South Carolina Categories of Arson Handout 2 Handout 3 <i>25 Minutes</i></p>	<p><u>Was it Arson?</u></p> <p>The SRO will divide the class into five groups. He/she will then give each student a copy of the handout entitled, Arson Research Chart. Each group will research one of the following South Carolina cases concerning arson and will fill in the supplied chart. Once their research charts are complete, the groups will share their findings with the class. Students will fill in the rest of their charts with information from the presentations.</p> <p>State v. Finklea—A man was convicted of first degree arson after he shot a security guard and set him on fire, and the guard died. http://www.sccourts.org/opinions/displayOpinion.cfm?caseNo=26843</p> <p>State v. Lollis—A man’s conviction for second degree arson was overturned because the Supreme Court determined his wife had been the person who set the fire and the man did not know about his wife’s plan. http://www.sccourts.org/opinions/displayOpinion.cfm?caseNo=25240</p> <p>State v. Phillips—A man was convicted of second degree arson after he burned his own home. The man claimed the home was not a dwelling house because he never intended to return to the home, but evidence showed the man likely planned to come back to the home in order to care for animals he kept on the property. http://www.sccourts.org/opinions/HTMLfiles/SC/27190.pdf</p> <p>State v. Edwards—The building that was burned was a barn, which is not intended for human occupancy. Today, such a crime would be classified as third degree arson.</p>
<p>Closing <i>5 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time. 2. The SRO will ask student volunteers to share their thoughts on arson and motives behind acts of arson. 3. The SRO will ask students if they have any questions regarding the lesson.

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Determine the legal definition of arson pursuant to state and municipal laws in South Carolina;
2. Analyze South Carolina court cases that have defined arson;
3. Explore ways to prevent arson.

Handout 1 - Three Truths and a Lie

"Three Truths and a Lie" Set One

- _____ a. Most cases of vandalism fires are conducted by juveniles.
- _____ b. Setting fire to a tree is considered arson.
- _____ c. Setting accidental fires, even those that harm others, is not considered arson.
- _____ d. Prison sentences are possible if one is convicted of first, second, or third degree arson.

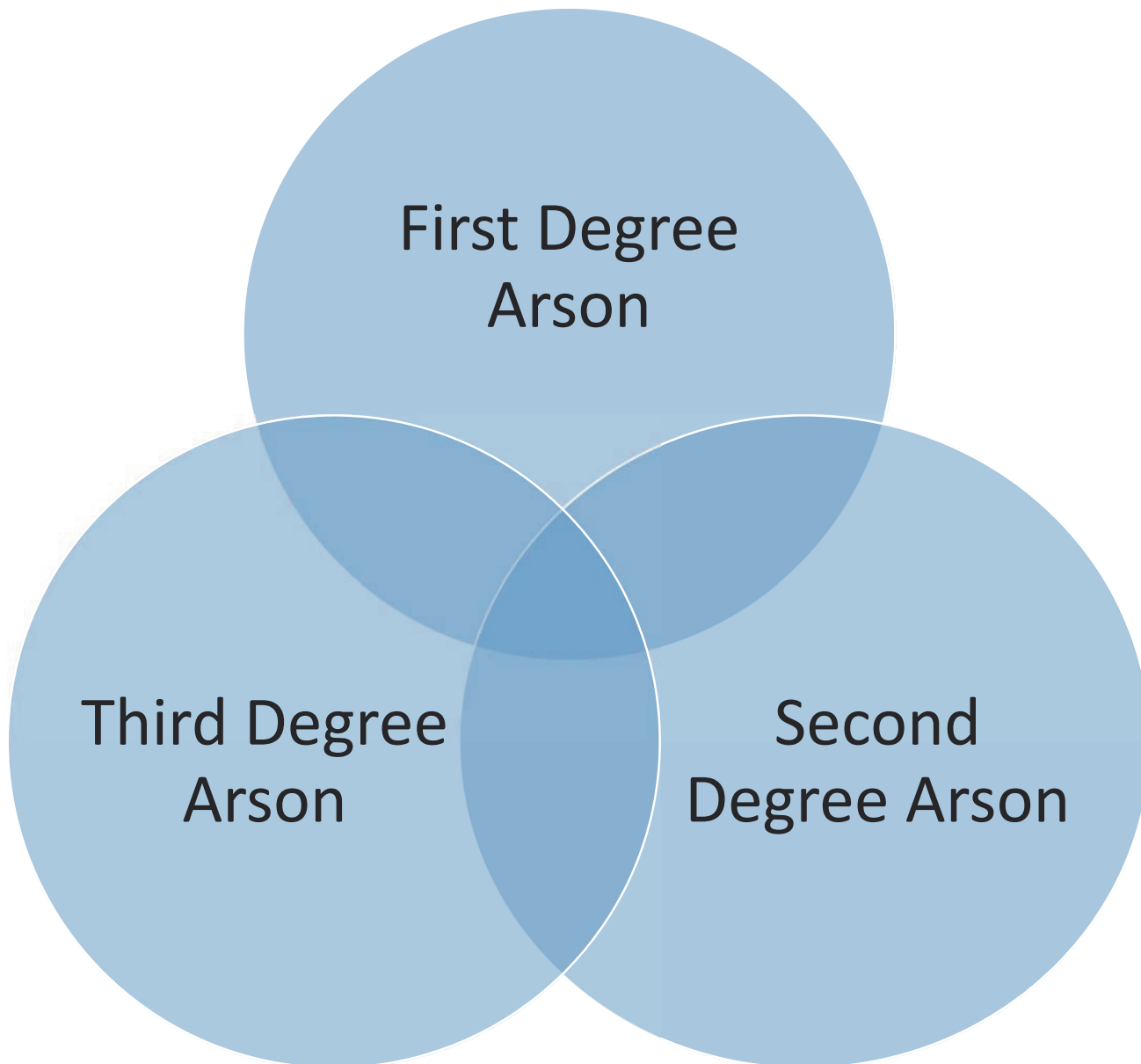
"Three Truths and a Lie" Set Two

- _____ a. A person may be convicted of arson even if he/she did not actually start the fire in question.
- _____ b. A person who sets fire to his/her own home cannot be convicted of arson.
- _____ c. Some arsonists set fires merely for excitement.
- _____ d. A person must be seriously injured for a crime of first degree arson to have occurred.

Presentation Slide/Flip Chart B: Categories of Arson

1. **First degree arson** is when a person "willfully and maliciously" sets a fire to a building or structure that causes death or serious bodily injury to a person. S.C. Code Ann. § 16-11-110(A).
2. **Second degree arson** is when an *arsonist* - someone who commits arson - "willfully and maliciously" causes a fire that damages a dwelling home or any structure designed for human occupancy. Examples of structures designed for human occupancy could be homes, businesses, school, and churches. S.C. Code Ann. § 16-11-110(B).
3. **Third degree arson** is when a person causes a fire that damages other types of structures. Examples of other types of structures could be railway cars, aircraft, or automobiles. S.C. Code Ann. § 16-11-110(C).

Handout 2 – Arson Venn Diagram



Handout 3 - Arson Research Chart

Fill in the chart with the information for the case assigned to your group. As other groups share the information from their research, fill in that information as well.

Case Name	Background	Charges	Results
State v. Lollis			
State v. Myers			
Case Name	Background	Charges	Results
State v. Phillips			
State v. Glenn			
State v. Finklea			

Handout 3A - Research Chart Instructor Copy

Fill in the chart with the information for the case assigned to your group. As other groups share the information from their research, fill in that information as well.

Case Name	Background	Charges	Results
State v. Lollis	In February of 1998, a fire, later determined to be arson, was set at the home of Harry Lollis. His common law wife confessed to setting the fire but claimed that her husband was not involved in the action. Police found that Mr. Lollis had taken valuables from the home and put them in a storage room a few days prior to the fire. Mr. Lollis said he moved the items because he was remodeling the home and wanted to protect the goods. The police believed Mr. Lollis and his wife worked together to set fire to their home in order to collect insurance money.	Second Degree Arson	<p>On July 23, 1998, Lollis was convicted of second degree arson and sentenced to six years in prison.</p> <p>The Court of Appeals agreed with the decision of the trial court.</p> <p>The South Carolina Supreme Court, however, reversed the decision of the Court of Appeals claiming the state did not provide enough clear evidence of arson on the part of Mr. Lollis.</p>
State v. Myers	In March 1997, the body of Teresa Haught was found among the remains of a fire at the Mills Inn Tavern. She has been hit on the back of the head and she had some hair stuck in her hands. The hair was tested and found to be those of her boyfriend, Wesley Myers. After several interviews with the police, Myers confessed to killing Ms. Haught and to setting fire to the bar in order to hide evidence. The hair that was found in Teresa's hand was lost when SLED sent the hair to the FBI for DNA analysis, so there was no physical evidence linking Myers to the crime.	Murder and Third Degree Arson	<p>Myers was sentenced to thirty years imprisonment for murder and ten years imprisonment for arson.</p> <p>He appealed to get his confession thrown out since it came after the police connected Myers to the scene with the hair samples that were ultimately lost.</p> <p>The convictions were upheld on appeal to the South Carolina Supreme Court.</p>
Case Name	Background	Charges	Results
State v. Phillips	On September 14, 2007, Lawrence Phillips packed his belongings in his car and drove away. Within minutes of his departure, his house was on fire. Prior to leaving, Phillips retrieved a gun he owned from a neighbor. He told the neighbor that he wondered what his (Phillips') house would look like in flames.	Second Degree Arson	<p>Phillips was found guilty and, because of his prior convictions, was sentenced to life in prison without parole. (LWOP)</p> <p>Phillips argued that because the building was unoccupied at the</p>

	In 1979, Phillips was convicted as a youthful offender for "burning" and in 1985, he was convicted of Second Degree Burglary.		time of the fire, the act constituted third, not second, degree arson. The S.C. Supreme Court upheld his conviction for second degree arson but determined that he should not have been sentence to LWOP. His case was returned to a lower court for resentencing.
State v. Glenn	On July 14, 1986, a fire broke out in a mobile home owned by Darlene Glenn and her late husband. Mrs. Glenn told others on several occasions that she would burn the house down before she let it be repossessed.	Second Degree Arson	Glenn was found guilty of Second Degree Arson. She appealed on the grounds that as the dwelling was unoccupied, the charges should have been for third degree arson. The court upheld her conviction.
State v. Finklea	On August 2, 2003, two men entered the Selectron Plant in Lexington County, SC. A security guard was shot and set on fire and then a fire was set to the plant. Video footage and other evidence led police to Ron Finklea. While he was being held, Finklea attempted to hang himself. Although he lived, he sustained brain damage that left him with amnesia. Doctors confirmed that Finklea had no recollection of the crime.	Murder with various aggravating circumstances, including arson	Finklea was convicted of murder and sentenced to death. He appealed the decision on the grounds that he could not properly assist in his own defense. The South Carolina Supreme Court upheld his conviction citing several times during the trial in which Finklea did assist in his own defense.

Cybersecurity



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Lesson Plan: Cybersecurity

Overview	This lesson focuses on cybersecurity in the United States and South Carolina. Students in this lesson will learn about the legal issues surrounding cybersecurity and the lack of consistent laws relating to cybersecurity.
Outcome(s)	As a result of the lesson, the student will be able to: 1. To determine the legal issues surrounding cybersecurity. 2. To analyze recent issues concerning cybersecurity. 3. To explore ways to protect ourselves from cybersecurity risks.
Handouts	Handout 1. Cybersecurity Word Search Handout 1A. Cybersecurity Word Search Answer Key Handout 2. Teacher Settles Lawsuit Reflection Questions Handout 3. Hacked v. Hackers Reflection Questions
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Cybersecurity Defined
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: -Handout 1 -Presentation Slide/Flip Chart A: <i>15 Minutes</i>	<ol style="list-style-type: none"> 1. The SRO will begin by introducing him/herself and tell students that today they will learn about cybersecurity and the ways it is dealt with in South Carolina. 2. The SRO will introduce the learning outcomes and topics to be covered in the lesson. 3. The SRO will then conduct a 5-10 minute brainstorming session on cybersecurity, encouraging students to give examples of problems in cybersecurity as well as words and definitions relating to cybersecurity. Answers will vary greatly.
Cybersecurity Word Search and Vocabulary -Handout 1 -Handout 1A -Presentation Slide/Flip Chart B <i>15 Minutes</i>	<ol style="list-style-type: none"> 1. The SRO will give each student a copy of the <i>Cyber Security Word Search</i> handout. Students may work individually or in groups. A copy of the answers is included for the SRO. 2. The SRO will then lead students through a short discussion of cybersecurity issues, focusing specifically on South Carolina laws.

Cybersecurity, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

Looking at South Carolina and Federal Statutes on Cybercrime *15 Minutes*

1. Using Computers for Fraud:

Using a device to take anything or taking anything from a device that is not yours, including information, data, documents, copies of documents, financial instruments, software or copies of software (like Photoshop or Microsoft Word), media (such as songs and pictures), and other tangible and intangible things is a crime.

Using a computer to obtain “money, property, or services by means of false or fraudulent pretenses, representations, promises,” also known as fraud, is a crime.

Using a computer to perpetrate any other crime is also a crime.

Example 1: Sam creates a page to collect donations for his car wreck, but Sam was never in a wreck at all and uses the donations to buy a new car and concert tickets. Sam has committed fraud using a computer.

Example 2: Hayden logged onto Sam’s computer through the school network and downloaded songs and the electronic copy of Sam’s concert tickets in his email. Hayden won’t make it to the concert, though, because he committed a computer crime.

2. Computer Damage: Damaging a device or network or program or software or system or causing the owner other damage by accessing a device that is not yours through a network is a crime.

Example: Jess sends out a virus that crashes Jamie’s computer. Jess is not nice, and he’s committed a computer crime.

3. Network Hacking: Unauthorized access to a computer, network or system is also a crime. “Computer hacking” in South Carolina means: Accessing or even attempting to access all or part of a computer, computer system or a computer network without permission **and** with the intent to defraud or with malicious intent to commit a crime.

Other examples of computer hacking include misusing computers or network services to: send mail to people other than the authorized users of that computer; access other computers, computer systems or computer networks; and redirecting users to other web pages.

Computer hacking also describes: “using a group of computer programs to intentionally access any computer, computer system, or computer network without permission ...” This group of computer programs includes, but is not limited to, those used to look at the computers on the network, their capabilities, availability, what type of operating system or software the network uses, its security and other information about a network.

Additionally, using someone else’s account, computer or network you’re not allowed on and redirecting web traffic is hacking and is not permitted by law.

Example: Jordan logs into his teacher’s email to change a grade, then sends the new grade out. Jordan has committed a computer crime. Not cool, Jordan.

Cybersecurity, *continued*

<p>Looking at South Carolina and Federal Statutes on Cybercrime <i>continued</i></p>	<p>So, what are the punishments for computer crimes like fraud, damage and hacking in South Carolina?</p> <p>Computer crimes vary by degree, like other crimes, with first degree being the most serious and third degree being the least serious. First degree computer crimes are a felony and you can be fined \$50,000 and jailed for five years or both for a first offense! Lesser crimes are called misdemeanors and carry smaller fines, as well as zero to 30 days in jail, to be decided by a judge.</p>
<p>Cyber Security Case Studies and Fishbowl Activity -Handout 2 -Handout 3 <i>30 Minutes</i></p>	<p>The SRO will lead students through a case study and fishbowl activity using the following protocols.</p> <ol style="list-style-type: none"> 1. The SRO will select one of the following articles and have the students read it in class. <ol style="list-style-type: none"> a. Lawsuit settled in forced resignation of South Carolina teacher after nude photos stolen from her personal cell phone. http://wtdn.com/2017/01/04/sc-teachers-stolen-nude-photos-lawsuit-settled/ b. Hacked v. Hackers: Game On https://bits.blogs.nytimes.com/2014/12/02/hacked-vs-hackers-game-on/ <p>Note: The NY Times article may be a difficult read for some of the students. The SRO may want to divide it into sections and have different students read different sections. The article on the South Carolina teacher may be too explicit for younger students. If neither of these articles is suitable, a quick Google search will reveal current and applicable news stories.</p> 2. After reading the article, the SRO will break the class into 5-6 groups to answer the handout reflection questions about the case study they have just read. 3. While students are answering the questions about the case study in their groups, the SRO will place 5-8 chairs in a circle in the middle of the classroom. The SRO will then select 5-8 students to sit in the fishbowl. These students will discuss the assigned article. Be sure to tell students in the fishbowl to speak loudly so the remainder of the class can hear them. <p>Note: The SRO may or may not choose to sit in the fishbowl, depending on the classroom makeup and/or the maturity of the students.</p> 4. The rest of the students will stay out of the fishbowl. They will take notes on the discussions the people in the fishbowl are having. 5. After 3-5 minutes, the SRO will allow students to enter or leave the fishbowl as long as the original number in the fishbowl remains the same. 6. After the students have discussed the article, the SRO will lead the students through a debriefing of the activity.
<p>Closing <i>5 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time. 2. The SRO will ask student volunteers to share out their impressions and understanding of cybersecurity. 3. The SRO will ask students if they have any questions regarding the lesson.

Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. To determine the legal issues surrounding cyber security.
2. To analyze recent issues concerning cyber security.
3. To explore ways to protect ourselves from cyber security risks.

Presentation Slide/Flip Chart B: Cybersecurity Defined

What Constitutes a Computer in South Carolina? Under the South Carolina Computer Crime Act, any device that can compute, store data, or connect to a network can be considered a computer— including tablets and other devices used as computers, like smart phones.

Cybersecurity is the body of technologies, processes and practices designed to protect networks, computers, programs and data from attack, damage or unauthorized access. In a computing context, security includes both cybersecurity and physical security.

How many “computers” are in your house? Your classroom? Did you realize how many computers we use?

Firearms in South Carolina



South
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Bar

LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan: Fire Arms

Overview	This lesson focuses on the laws in South Carolina that control the lawful possession of firearms. Students will review the Second Amendment and relevant South Carolina Laws.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Define what is a firearm under South Carolina law. 2. To determine the rights, privileges, and restrictions concerning the possession and use of firearms in South Carolina. 3. To debate South Carolina firearm laws using research.
Handouts	Handout 1. Firearms Questionnaire Handout 2. Get Off the Fence Activity Handout 3. Firearms Graphic Organizer
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Definition of a Firearm Presentation Slide/Flip Chart C: US and SC Amendments
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: -Handout 1 -Presentation Slide/Flip Chart A: <i>5 Minutes</i>	<u>Chalk Talk:</u> The SRO will write the following statement on the board. He/she will allow students to spend five minutes silently writing their opinions on the board. They may comment on the opinions of others. The SRO may want to spend some time discussing courtesy and respect for the opinions of others. <i>It should be illegal for the average citizen to carry firearms in public.</i>
What is a Firearm What are South Carolina Laws Presentation Slide/Flip Chart B Presentation Slide/Flip Chart C <i>15 Minutes</i>	1. In South Carolina, a <i>firearm</i> is any weapon that does – or can – “expel a projectile by the action of an explosive.” SC Code Ann 23-31-1050. Essentially, the definition of a firearm includes most things that can “shoot.” A person has a number of <i>rights</i> (something that a person is guaranteed) and <i>privileges</i> (something that a person may earn) that protect his or her right to carry and use a firearm. However, there are also a number of <i>restrictions</i> (limitations to a right) and <i>crimes</i> (an act that is not permitted by law) that officials can enforce against people who violate them.

Fire Arms, *continued*

<p>What is a Firearm: What are South Carolina Laws <i>continued</i></p>	<ol style="list-style-type: none"> 2. The United States Constitution is the “supreme Law of the Land,” meaning that what it says overrules any other law by the federal government or by state and local government. The Constitution protects “the right of the people to keep and bear Arms” in the Second Amendment. It says: <p>“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”</p> 3. The State of South Carolina also has a constitution and it protects the right to citizens to bear firearms too. In fact, it uses exactly the same language as the United States Constitution.
<p>What are South Carolina Laws on Firearms: -Handout 2 -Handout 3 <i>30 Minutes</i></p>	<ol style="list-style-type: none"> 1. During the Chalk Talk exercise, SRO will place three signs on the walls around the classroom. One sign should read “AGREE,” one should read “DISAGREE” and one should read “NOT SURE.” The SRO may find the signs in the Firearms Room Signs handout. Following Chalk Talk, the SRO will ask all of the students to stand in the middle of the room. 2. The SRO will ask students a series of opinion questions. After each question, students will move to the sign that accurately portrays their opinion on that question. After each question, the SRO will call on one or two students from each side. The questions for this activity are located in the Get Off of the Fence handout. 3. After completing the Get Off the Fence activity, the class will spend time researching South Carolina laws concerning the possession and use of firearms. http://www.sled.sc.gov/SCStateGunLaws1.aspx is a comprehensive listing of gun laws in South Carolina. 4. For personal accountability, the students should complete the Firearms Research Questionnaire handout before reading into the laws of South Carolina. This activity may be completed individually or in groups. <p style="margin-left: 40px;">Note: If students do not have research access, the SRO may want to use the classroom projector to display this interactive website.</p> <p style="margin-left: 40px;">https://www.theguardian.com/world/interactive/2013/jan/15/gun-laws-united-states</p> 5. To help protect the right to bear firearms in South Carolina, the South Carolina Law Enforcement Division (SLED) is usually required to issue a permit – allowing a person to carry a firearm – as long as the person lives in South Carolina or owns property here and is 21 years old, SC Code Ann. 23-31-215. Anyone who wants a permit must apply with SLED. In order to apply, a person must have identification documents (ID), either a driver’s license or a vision test in the last six months, and proof that he or she has been trained. The person must also pay an application fee of \$50. Once a person applies, SLED will conduct a background check to make sure that they qualify to carry a weapon. SLED must issue permits to anyone who applies if they qualify. 6. There are, however, certain people who cannot carry a firearm. Anyone who has been convicted of a violent crime, has a drug or alcohol addiction, or has been determined “mentally incompetent” by a judge cannot carry a firearm, SC Code Ann. 16-23-30. Also, if a person is a member of a “subversive organization,” or if a court has taken away the person’s right to carry a weapon, he/she cannot carry a firearm. 7. Finally, and in conflict with federal law, it is lawful for persons age 18 to own a handgun. Federal law states it is unlawful for anyone under 21 to own a handgun.

Fire Arms, *continued*

Closing <i>5 Minutes</i>	<ol style="list-style-type: none">1. The SRO will thank students for their time.2. The SRO will ask students if they have any questions regarding the lesson.
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Presentation Slide/Flip Chart A: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define what is a firearm in South Carolina.
2. To determine the rights, privileges, and restrictions concerning the possession and use of firearms in South Carolina.
3. To debate South Carolina firearm laws using research.

W
W
R
G
A

DISAGREE

NOT SURE

Handout 1. South Carolina Firearms Questionnaire

1. Prior to your research, describe your opinions on gun ownership in South Carolina.

2. Do you think we need more or fewer laws concerning the possession and use of firearms?

3. Find out what South Carolina laws say about the following.
 - a. Who can legally own guns?
 - b. Who cannot legally own guns?
 - c. What steps are required to get a permit to carry a concealed weapon?
 - d. List three South Carolina laws that impact the possession or use of a firearm.

4. Find three pieces of evidence from South Carolina to support looser laws for the possession and/or use of firearms. These may be news stories, personal anecdotes, or legal cases.

5. Find three pieces of evidence from South Carolina to support stricter laws for the possession and/or use of firearms. These may be news stories, personal anecdotes, or legal cases.

6. Have your opinions concerning the possession and use of firearms changed as a result of research?

- If your answer to this question is "yes," explain why your opinions changed.

- If your answer to this question is "no," explain what you learned that validated your opinions.

Presentation Slide/Flip Chart B: South Carolina Definition of a Firearm

In South Carolina, a *firearm* is any weapon that does – or can – “expel a projectile by the action of an explosive.” SC Code Ann 23-31-1050. Essentially, the definition of a firearm includes most things that can “shoot.” A person has a number of *rights* (something that a person is guaranteed) and *privileges* (something that a person may earn) that protect his or her right to carry and use a firearm. However, there are also a number of *restrictions* (limitations to a right) and *crimes* (an act that is not permitted by law) that officials can enforce against people who violate them.

Presentation Slide/Flip Chart C: US Amendment and SC Constitution on Firearms

The United States Constitution is the “supreme Law of the Land,” meaning that what it says overrules any other law by the federal government or by state and local government. The Constitution protects “the right of the people to keep and bear Arms” in the Second Amendment.

It says:

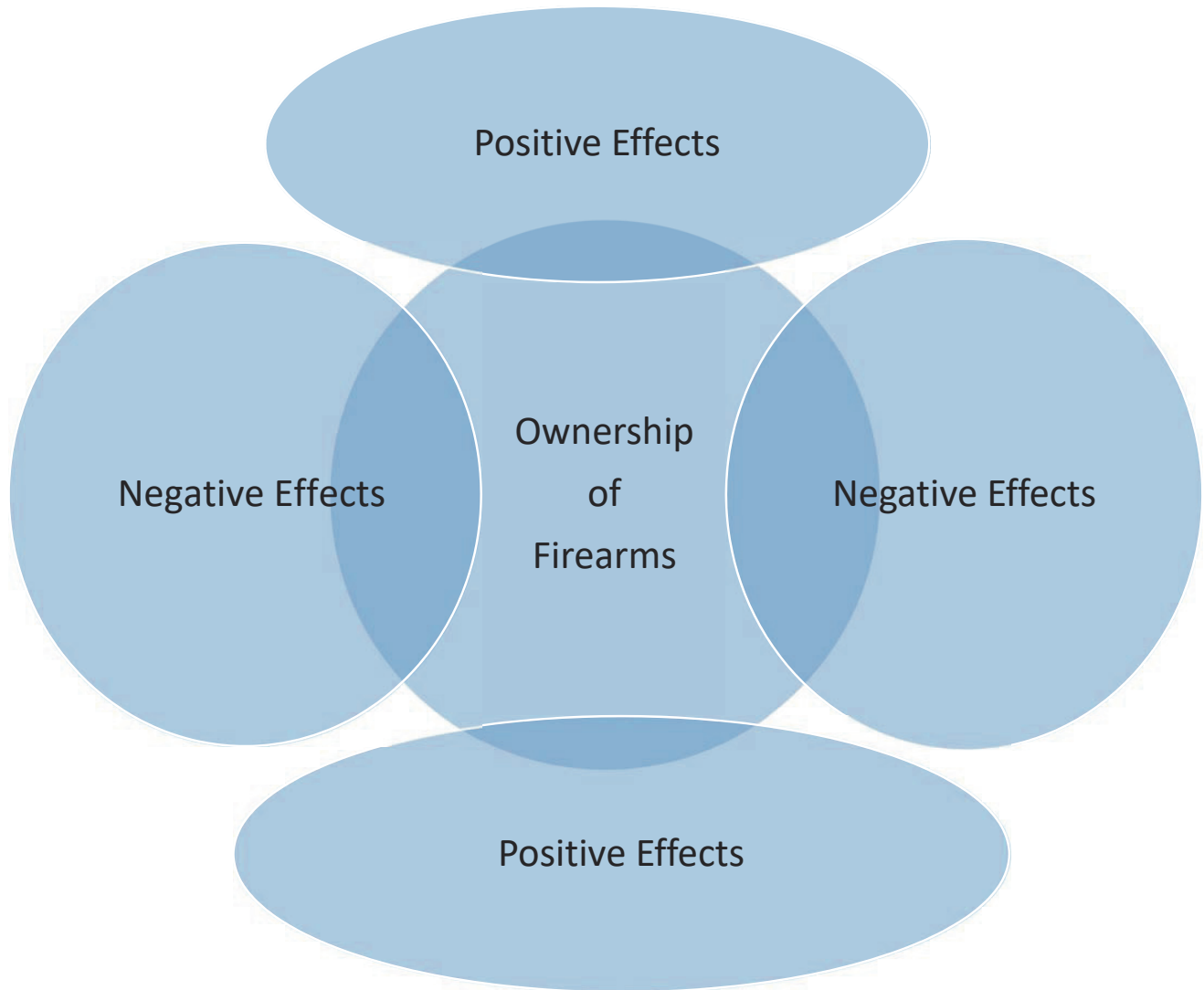
"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The State of South Carolina also has a constitution and it protects the right to citizens to bear firearms too. In fact, it uses exactly the same language as the United States Constitution.

Handout 2- Firearms Questions for Get Off the Fence Activity

1. Teachers and other school officials should be allowed to carry guns in school.
2. Teenagers who drive should be allowed to carry firearms in their cars in case of emergencies.
3. South Carolina residents should be allowed to shoot anyone trespassing on their property.
4. Gun Safety should be a mandatory class in every South Carolina high school.
5. Ownership of assault rifles should be illegal.
6. Since 18 year olds can serve in the military, the age for a firearm permit in South Carolina should be reduced from 21 to 18.
7. Hunting is cruel to animals and thus should be illegal.

Handout 3- Firearms Graphic Organizer



Vandalism



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
Vandalism

Overview	This lesson focuses on the defining vandalism, identifying common examples and addressing South Carolina laws on the subject. Students will review the South Carolina statutes, understand the penalties for vandalism and be able to apply the laws to different vandalism scenarios.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Determine the legal definition of vandalism pursuant to state and municipal laws in South Carolina. 2. Analyze South Carolina court cases that have defined vandalism. 3. Explore ways to prevent vandalism.
Handouts	Handout 1. Vandalism Cause and Effect Graphic Handout 2. Vandalism Cause and Effect Graphic – Instructor Handout 3. South Carolina Vandalism Defined and State Statutes Handout 4. Vandalism News Stories Questions Handout 5. Vandalism Room Signs Handout 6. Crimes Cutouts
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: Cause and Effect Graphic Presentation Slide/Flip Chart C: Definitions of Vandalism Presentation Slide/ Flip Chart D: South Carolina Laws

Vandalism, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

Introduction and Lesson Hook:

-Handout 1

**Presentation Slide/
Flip Chart A**

**Presentation Slide/
Flip Chart B**

5 Minutes

1. The SRO will begin by introducing him/herself and tell students that today they will learn about vandalism, its causes and effects in the community and ways to prevent vandalism.

2. The SRO will give each student a copy of the Vandalism Cause and Effect graphi organizer. The students will attempt to fill in each of the four sections. The students should save their work until the end of the lesson.

3. Once students have completed their work, the SRO will provide the following definitions of vandalism. Webster's Dictionary defines vandalism as the "act of deliberately destroying or damaging property."

Black's Law Dictionary defines vandalism as "mindless or malicious harm and injury to another's property." Vandalism occurs when one intentionally acts to destroy or damage another's property.

In South Carolina, vandalism falls under the "Offenses Against Property" chapter of the South Carolina Code of Laws. The formal charge is "malicious injury" to property. Under SC law, it is illegal to willfully or maliciously destroy or deface the property of another person. Property includes buildings, cars, lands and animals.

4. Ask students to share common examples of vandalism. Answers will vary, but may include:

- Graffiti
- Spray painting an object with the intent of defacing
- Keying a car
- Writing or defacing park benches or bathroom stalls
- Slashing tires
- Breaking someone's windows

5. The SRO will provide Handout 3 – South Carolina Vandalism Defined and State Statutes to the students.

Vandalism, *continued*

<p>Review of Vandalism News Stories:</p> <p>- Handout 3 - Handout 4 -Presentation Slide/ Flip Chart C</p> <p><i>10 Minutes</i></p>	<p>1. The SRO will give each student a copy of the Vandalism News Stories handout. The SRO will broadcast the following short news segments concerning recent acts of vandalism in the United States. Once the class has finished viewing the videos, the students will individually answer the questions in the handout. Once everyone has completed the handout, the class will discuss possible answers.</p> <p>- http://www.cnn.com/2018/03/03/us/jewish-cemetery-vandalized-headstones-new-york/index.html</p> <p>- http://edition.cnn.com/2018/05/31/sport/lebron-james-racist-graffiti-incident/index.html</p> <p>- http://pittsburgh.cbslocal.com/2018/05/04/arnold-vehicles-vandalized/</p> <p>If the SRO does not have access to a projector, he/she may print the following new articles from print media. The students may answer the questions in the Vandalism New Stories handout as they relate to these print articles.</p> <p>- http://www.latimes.com/local/california/la-me-ln-boyle-heights-20161102-story.html</p> <p>- https://www.theatlantic.com/news/archive/2017/05/lebron-james-responds-to-racist-vandalism-of-his-la-home/528771/</p> <p>-https://www.nytimes.com/2017/09/12/nyregion/christopher-columbus-statue-central-park-vandalizedhtml?rref=collection%2Ftimestopic%2FVandalism&action=click&contentCollection=timestopics&region=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection</p>
<p>Vandalism: Is it a Crime: -Handout 4</p> <p>-Presentation Slide/Flip Chart D</p> <p><i>20 Minutes</i></p>	<p>2. <i>Is It a Crime?</i></p> <p>a. The SRO will hang the four Vandalism Signs on butcher paper or poster boards around the room.</p> <p>b. The SRO will print and cut out the Vandalism Crimes handout. He/she will make a set for each student or, to save paper, make a set for each group of students.</p> <p>c. The SRO will give each student or each group of students a set of “Vandalism Crimes” and a glue stick.</p> <p>d. The SRO will have students walk around the room, sticking each crime on the punishment sheet they believe is a match.</p> <p>e. The class will discuss the correct answers. (The correct answers are located at the top of each page of criminal actions.)</p>
<p>Closing</p> <p><i>5 Minutes</i></p>	<p>1. The students will return to the graphic organizers they used at the beginning of the lesson. The SRO will call on students to share and expand on their answers from the beginning of the lesson.</p> <p>2. The SRO will thank the students for their time and participation in the lesson.</p> <p>3. The SRO will ask students if they have any questions regarding the lesson.</p>
<p>List of Materials</p>	<p>1. Handouts 1-6</p> <p>2. Presentation Slide/Flip Chart A-D</p> <p>3. Smartboard and computer</p>

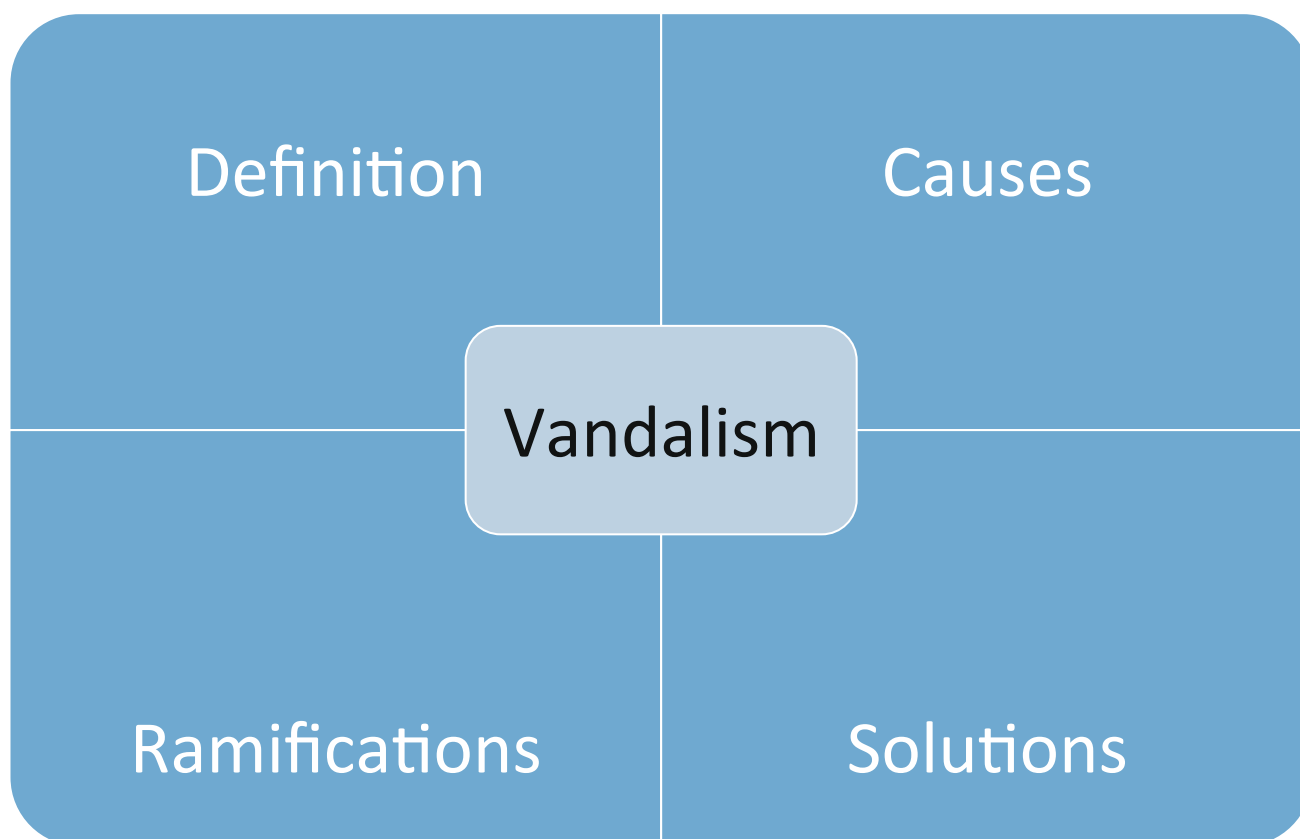
Slide Presentation/Flip Chart A

Vandalism Lesson Outcomes:

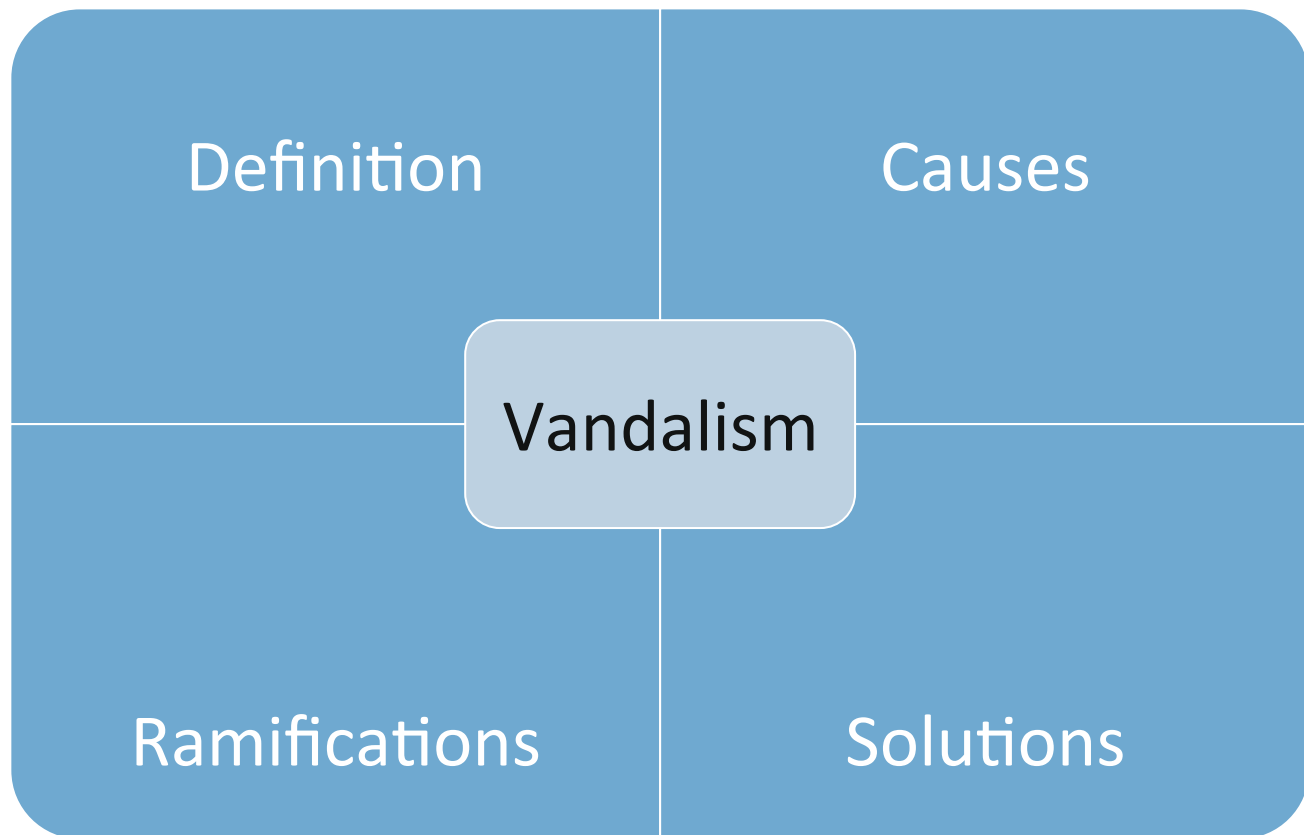
As a result of the lesson, the student will be able to:

1. Determine the legal definition of vandalism pursuant to state and municipal laws in South Carolina.
2. Analyze South Carolina court cases that have defined vandalism.
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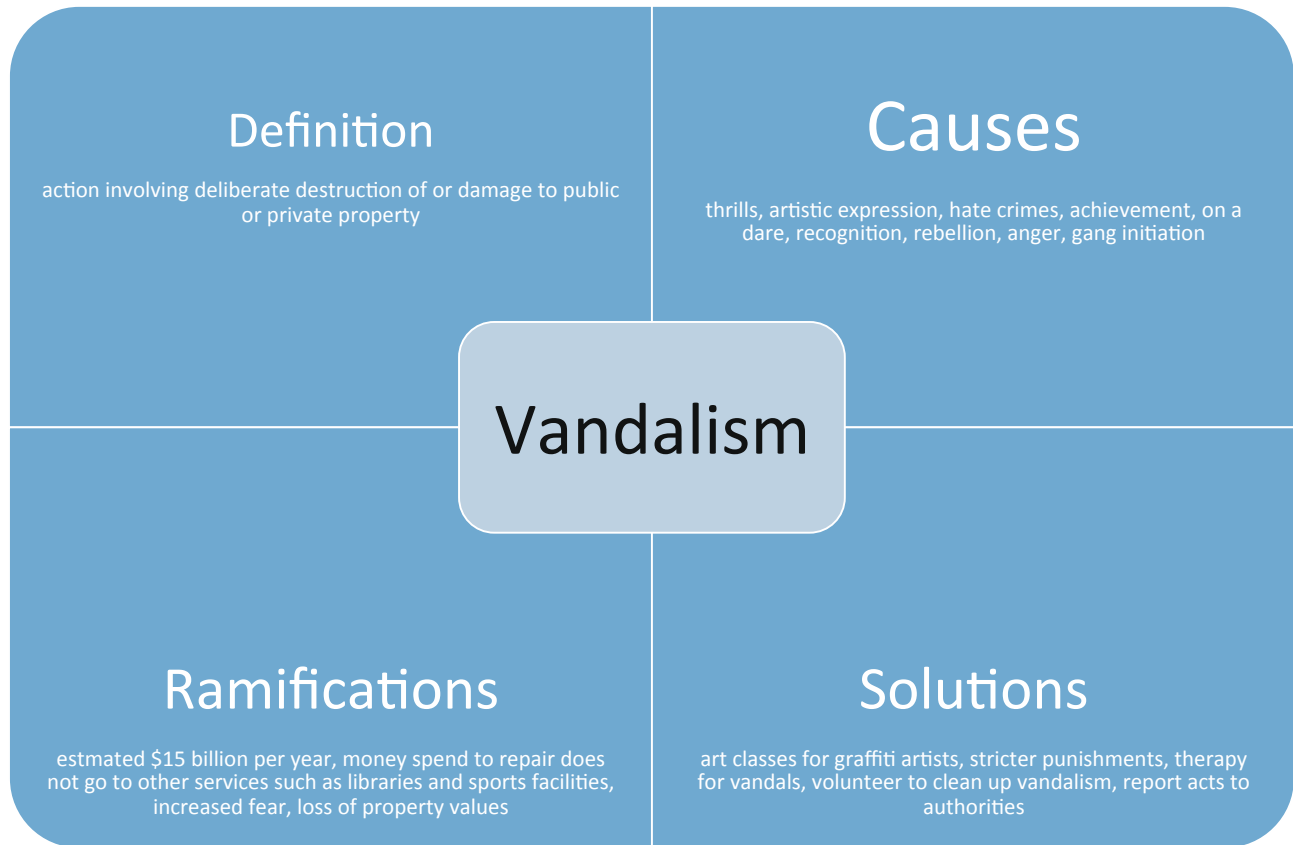
Slide Presentation/Flip Chart B



Handout 1 - Vandalism Causes and Effects



Handout 2A - Vandalism Causes and Effects Graphic (Instructor's Copy)



Definitions of Vandalism

Webster's Dictionary defines vandalism as the "act of deliberately destroying or damaging property."

Black's Law Dictionary defines vandalism as "mindless or malicious harm and injury to another's property." Vandalism occurs when one intentionally acts to destroy or damage another's property.

In South Carolina, vandalism falls under the "Offenses Against Property" chapter of the South Carolina Code of Laws. The formal charge is "malicious injury" to property. Under SC law, it is illegal to willfully or maliciously destroy or deface the property of another person. Property includes buildings, cars, lands, and animals.

Slide Presentation/Flip Chart D South Carolina State Statutes

Different Types of Vandalism

Now that it is understood exactly what vandalism is, it is important to examine the different types of vandalism found in the South Carolina Code of Laws. (See Attachment- Copy of section information from statutes).

Malicious Injury to Animals and Other Personal Property, S.C. Code Ann. §16-11-510

This section makes it unlawful (i.e. illegal) to intentionally injure animals or personal property of another. This includes the intentional harming of someone's pet. Violators may be found guilty of a felony if the property loss is valued at more than \$2,000.00. If less than \$2,000.00, violators may be found guilty of a misdemeanor. Punishment includes imprisonment (i.e. jail time) and monetary fines.

Malicious Injury to Tree, House, outside fence, or fixture; trespass upon real property, S.C. Code Ann. §16-11-523

Under this section, it is unlawful to intentionally cut, mutilate, deface or otherwise injure a tree, house, outside fence or fixture belonging to another. You may have seen initials carved into trees—this is actually an act of vandalism. Violators may be found guilty of a felony if the property loss is valued at more than \$2,000.00. If less than \$2,000.00, violators may be found guilty of a misdemeanor. Punishment includes imprisonment (i.e. jail time) and monetary fines.

Malicious Injury to real property; school trustees deemed owners of school property, S.C. Code Ann. §16-11-530

Real property is fixed property such as land or buildings. This section clarifies that local school board trustees are deemed the owners and possessors of school property. This allows charges to be brought under the previous sections for vandalism to school property, such as writing on bleachers or in on the bathroom stall.

Malicious Injury to place of Worship, S.C. Code Ann. §16-11-535

Under this section, it is unlawful to vandalize, deface, damage or destroy places of worship. Further, this section also makes it illegal to attempt to vandalize a place of worship. For example, if one attempts to break windows out of a church by throwing rocks at the building, charges for vandalism may be brought even if they did not break a window. The act of the throwing the rocks may be enough to charge the actor under this statute. Also, this statute makes it illegal to employ or conspire (i.e. make plans to commit an act) with another to commit vandalism to a place of worship.

Illegal Graffiti Vandalism; penalty; Removal or restitution, S.C. Code Ann. §16-11-770

We have all seen graffiti on the sides of trains, buildings and fences. Although the renderings may be very artistic, this is still an act of vandalism. South Carolina law defines graffiti as an inscription, writing, drawing, marking or design that is painted, sprayed, etched, scratched or otherwise placed on property such as buildings, fences and vehicles without permission of the owner. Violations may be found guilty of a misdemeanor and in addition to jail time and monetary fines, the violator may be ordered to remove the illegal graffiti, pay the costs of removal or pay restitution to the property owner.

Handout 3 - Vandalism Defined and South Carolina State Statutes

Different Types of Vandalism

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Handout 4 - Vandalism News Segment

1. In what ways were all three cases of vandalism similar?
2. In what ways were the cases different?
3. Brainstorm a list of causes of vandalism.
4. Brainstorm both monetary and societal costs associated with vandalism.

Misdemeanor

Fine

Up to \$1000

Incarceration

Up to 30 days

Misdemeanor

Fine

Up to \$3000

Incarceration

Up to 3 years

Felony

Fine
determined by the
court

Incarceration
Up to 5 years

Felony

Fine

determined by the court

Incarceration

Up to 10 years

Crime Four (Felony-up to 5 Years in Prison)

A group of teenagers decided to pour dye in a grouchy teacher's swimming pool. The pool had to be drained and the filter replaced. The damages were estimated at \$5000.	A group of teenagers decided to pour dye in a grouchy teacher's swimming pool. The pool had to be drained and the filter replaced. The damages were estimated at \$5000.	A group of teenagers decided to pour dye in a grouchy teacher's swimming pool. The pool had to be drained and the filter replaced. The damages were estimated at \$5000.	A group of teenagers decided to pour dye in a grouchy teacher's swimming pool. The pool had to be drained and the filter replaced. The damages were estimated at \$5000.
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Traffic Stops in South Carolina



South
Carolina
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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
Traffic Stops in South Carolina

Subject and Grade Level	SRO manual for LRE in secondary schools
Unit Title:	“Traffic Stops in South Carolina”
Overview	This lesson focuses on traffic stops. Students will learn about key terms and concepts regarding traffic stops. Students will then review South Carolina laws on traffic stops, including Section 56-3-110, Section 56-7-10, and Section 56-5-2930. Students will then learn the proper procedures for traffic stops in South Carolina. Finally, students will apply their understanding of traffic stops through a role-play activity.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Define the terms <i>traffic stops</i>, <i>license check stops</i>, <i>DUI</i> and <i>diversion programs</i>; 2. Explain the law on traffic stops, including what to expect when being stopped by police; 3. Review tips on what to do if stopped by the police; 4. Summarize South Carolina statutes Section 56-3-110, Section 56-7-10, and Section 56-5-2930; 5. Conduct a role-play involving a traffic stop
Handouts	Handout 1. Traffic Stops: Fact or Myth? Handout 2. Traffic Stops/South Carolina Traffic Laws Guided Notes Handout 3. “The Case of the Unlucky Speed Racer” Witness Role-Play for Drivers Handout 4. “The Case of the Unlucky Speed Racer” Witness Role-Play for Police Officers
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Traffic Stop: Fact or Myth Answers Presentation Slide/Flip Chart B: Lesson Outcomes Presentation Slide/Flip Chart C: Traffic Stops/ South Carolina Traffic Laws Presentation Slide/ Flip Chart D: “The Case of the Unlucky Speed Racer” Driver/ Police Officer Role-Play Debrief Chart

Traffic Stops in South Carolina, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

<p>Introduction and Lesson Hook: -Handout 1 -Presentation Slide/ Flip Chart A - Presentation Slide/ Flip Chart B 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will begin by introducing him/herself and tell students that today they will learn about essential terms and procedures regarding traffic stops, including the laws in South Carolina. 2. The SRO will then distribute the fact/myth hook and ask the students to take 3 minutes to read through the statements and determine whether each statement is a fact or a myth. (Handout 1). 3. After three minutes, the SRO officer will ask for volunteers to answer the questions on Handout 1. 4. The SRO will then display the questions on Presentation Slide/Flip Chart A and review the answers to each statement. 5. The SRO officer will then tell the students that there are a lot of incorrect perceptions regarding traffic stops. The SRO will tell the students that it is important to understand the rules and laws regarding traffic stops so that everyone stays safe while understanding their rights and responsibilities when they are pulled over. 6. The SRO will then review the lesson outcomes and display Presentation Slide/Flip Chart B. 7. The SRO will state, “today, you will learn about key terms and concepts regarding traffic stops. I will review South Carolina laws on traffic stops including Section 56-3-110, Section 56-7-10, and Section 56-5-2930. You will then learn the proper procedures for traffic stops in South Carolina. Finally, you will apply your understanding of the traffic stops through a role-play activity.”
<p>Traffic Stops/ Carolina Traffic Laws -Presentation Slide/ Flip Chart C -Handout 2 10 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will then display Presentation Slide/Flip Chart C and review the terms associated with traffic stops. The SRO will ask students if they can state in their own words what traffic stops, license check stops, a d.u.i., and diversion programs are. Answers will vary. <ul style="list-style-type: none"> - Traffic stops are temporary stops or detentions by police officers of drivers in a vehicle to investigate a possible crime or traffic violation. Police officers have a right to stop you if you have committed a traffic violation or if they have probable cause to suspect you have committed a crime. Police Officers are also bound by the Fourth Amendment and cannot randomly search your vehicle at will unless they have a reasonable suspicion based on the facts and circumstances that you have weapons or contraband in your vehicle. - License check stops are routine detentions of vehicles for the purposes of checking drivers’ licenses. In South Carolina, brief detentions to ask for a driver’s license or identification is legal. - A D.U.I-means driving under the influence of drugs or alcohol. D.U.I. check points are legal; however, there are a number of requirements that law enforcement officials must meet to establish these check points, including getting approval, enforcing checkpoint stops in a pattern, announcing the time, date and location of these stops, and providing evidence that these stops are successful.

Traffic Stops in South Carolina, *continued*

Traffic Stops/ Carolina Traffic Laws *Continued*

-Diversion programs-These programs are established by the courts to address certain traffic offenses outside of the court system. If the offender is approved for the program, they must agree to complete the recommended disposition, which could be community service or defensive driver's courses.

*If the students are not familiar with the Fourth Amendment, including rules and exceptions to searches and seizures, the SRO may want to spend a little more time introducing these concepts prior to moving forward with the lesson.

2. The SRO officer will then tell students that South Carolina has specific statutes relating to traffic stops and offenses. The SRO will direct students' attention to flip chart C and review the laws.

-Section 56-3-110 states the rules of vehicle license and registration requirements

-Section 56-7-10 cites a list of uniform traffic citation offenses in South Carolina, including common offenses such as purchase or possession of alcohol by a minor, and speeding.

-Section 56-5-2930 cites the definition, procedures, and fines/jail time for driving under the influence of drugs or alcohol

3. The SRO will then distribute **Handout 2** to the students and tell students that he/she will provide 5 tips for what to do if you are pulled over by a police officer. The students will fill in the guided notes as the SRO officer provides the tips below: The underlined portions below are what the students are supposed to write down on their guided notes.

-Remain calm-It can be nerve-racking when being pulled over by a police officer, but remember that if you are doing what you are supposed to do, you will be on your way after the brief detention.

-Keep your hands on the wheel!-Police officers are human just like we are and fear for their safety. To minimize the perception of wrong-doing, keep your hands on the wheel at all times and let the police officer direct you to what he or she would like you to do. Also remember to remain buckled and put the car in park unless directed to do otherwise.

-Keep your license, registration, and proof of insurance handy-During a traffic stop, you will most always be asked for this information, so be prepared to have these items accessible for the police officer.

-Pull over with enough room for the police officer to approach-When you have been directed to pull over, pull over as quickly and safely as possible. If possible, pull over to the side of the road and leave enough room for the police officer to safely approach the driver's side of your vehicle.

-Be respectful-You must remember that being respectful and answering questions with short, civil responses is the best way to handle an encounter with a police officer. Accepting a traffic citation is not admitting guilt! You will have the opportunity to defend yourself in court if you choose to do so.

4. The SRO will state, "Now you will use what you have learned about traffic stops. We will conduct a role-play to test your knowledge on the proper processes and procedures of a traffic stop."

Traffic Stops in South Carolina, *continued*

<p>Activity: -Handout 3 -Handout 4 -Presentation Slide/ Flip Chart D 20 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will distribute Handout 3 to half of the class. These students will be drivers in the role play. 2. The SRO will then distribute Handout 4 to the other half of the class. These students will be police officers in the role play. 3. The SRO will review the directions with the drivers first telling them that they will have 5 minutes to read the scenario on the paper. They should review their notes regarding the laws and procedures about traffic stops to conduct the role-play. They are to prepare to be “pulled over” in front of the class. The SRO will next meet with police officers, telling them that they are to review the proper procedures and laws during routine traffic stops. They will then pick a “driver” to conduct a traffic stop role play with. These students will come up with at least five questions to ask during the traffic stop and write a mini-script for what to say during the stop. 4. After the five minutes is up, the SRO will ask for driver/police officer volunteers to come up and conduct the driver/police officer role play for approximately 10 minutes. 5. After the 10 minutes is up, students will share their responses regarding the role play for each driver/police officer team during the role play. Student responses will be recorded on the board or Presentation Slide/Flip Chart D.
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1-4 2. Presentation Slide/Flip Chart A-D

Handout 1: Traffic Stops: Fact or Myth?

Directions: Take three minutes to review the following statements. You must then mark “fact” if you believe the statement is true or “myth” if you believe the statement is false. Be prepared to discuss your responses.

1. You should get out of the car when a police officer pulls you over.
2. You will not receive a traffic citation as long as you do not exceed three miles over or under the speed limit.
3. A police officer can search your vehicle anytime you are pulled over.
4. A traffic stop is a brief detention of a driver in a vehicle based on a violation of a traffic law or on probable cause that a crime has been committed.
5. Accepting a traffic citation is an admission of guilt, and you must automatically pay the ticket in order to avoid suspension of your license.

Presentation Slide/Flip Chart A: Police traffic stops: fact or myth answers

- 1. Myth. Never get out of the vehicle when pulled over by a police officer unless specifically directed.**
- 2. Myth. You may get a traffic ticket for not following the speed limit regardless of how minimal the violation is.**
- 3. Myth. Police officers may only search your vehicle if they have reasonable suspicion based on the experience/training of the police officer and justifiable facts and circumstances that you are carrying illegal contraband or weapons in your vehicle.**
- 4. Fact. A traffic stop is a brief detention of a vehicle by a police officer based on a traffic law violation or on probable cause that a crime has been committed.**
- 5. Myth. Accepting a traffic citation does not automatically mean that you are guilty. You do have the opportunity for a hearing in court.**

Presentation Slide/Flip Chart B: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define the terms *traffic stop*, *license check stop*, *D.U.I.*, and *diversion program*;
2. Explain the law on traffic stops, including what to expect when being stopped by police;
3. Review tips on what to do if stopped by the police;
4. Summarize South Carolina statutes Section 56-3-110, Section 56-7-10, and Section 56-5-2930;
5. Conduct a role-play involving a traffic stop.

Presentation Slide/Flip Chart C: Traffic Stops/ South Carolina Traffic Laws

Terms to know:

1. Traffic stops are temporary stops or detentions by police officers of drivers in a vehicle to investigate a possible crime or traffic violation. Police officers have a right to stop you if you have committed a traffic violation or if they have probable cause to suspect you have committed a crime.
2. License check stops are routine detentions of vehicles for the purposes of checking driver's licenses. In South Carolina, brief detentions to ask for a driver's license or identification is legal.
3. D.U.I.-means driving under the influence of drugs or alcohol. D.U.I. check points are legal; however, there are a number of requirements that law enforcement officials must meet to establish these check points, including getting approval, enforcing checkpoint stops in a pattern, announcing the time, date, and location of these stops, and providing evidence that these stops are successful.
4. Diversion programs-These programs are established by the Courts to address certain traffic offenses outside of the court system. If the offender is approved for the program, he or she must agree to complete the recommended disposition which could be community service or defensive driver's courses.

South Carolina Witness Laws:

- Section 56-3-110 states the rules of vehicle license and registration requirements
- Section 56-7-10 cites a list of uniform traffic citation offenses in South Carolina, including common offenses such as the purchase or possession of alcohol by a minor and speeding.
- Section 56-5-2930 cites the definition, procedures, and fines/jail time for driving under the influence of drugs or alcohol.

5 tips to follow during a traffic stop:

- 1.Remain calm-It can be nerve-racking when being pulled over by a police officer, but remember that if you are doing what you are supposed to do, you will be on your way after the brief detention.
- 2.Keep your hands on the wheel!-Police officers are human just like we are and fear for their safety. To minimize the perception of wrong-doing keep your hands on the wheel at all times, and let the police officer direct you to what he or she would like you to do. Also remember to remain buckled and put the car in park unless directed to do otherwise.
- 3.Keep your license, registration, and proof of insurance handy-During a traffic stop, you will most always be asked for this information, so be prepared to have these items accessible for the police officer.
- 4.Pull over with enough room for the police officer to approach-when you have been directed to pull over, pull over as quickly and safely as possible. If possible, pull over to the side of the road and leave enough room for the police offer to safely approach the driver's side of your vehicle.
- 5.Be respectful-You must remember that being respectful and answering questions with short, civil responses is the best way to handle an encounter with police officer. Accepting a traffic citation is not admitting guilt! You will have the opportunity to defend yourself in court if you choose to do so.

Handout 2- The 5 tips to follow during a traffic stop

Directions: Fill in the blanks as we talk about the 5 tips to follow on a traffic stop.

5 tips to follow during a traffic stop:

1. _____ -It can be nerve-racking when being pulled over by a police officer, but remember that if you are doing what you are supposed to do, you will be on your way after the brief detention.

2. _____
_____! Police officers are human just like we are and fear for their safety. To minimize the perception of wrong-doing, keep your hands on the wheel at all times and let the police officer direct you to what he or she would like you to do. Also remember to remain buckled and put the car in park unless directed to do otherwise.

3. _____
_____-During a routine traffic stop, you will most always be asked for this information, so be prepared to have these items accessible for the police officer.

4. _____
_____-when you have been directed to pull over, pull over as quickly and safely as possible. If possible, pull over to the side of the road and leave enough room for the police officer to safely approach the driver's side of your vehicle.

5. _____-You must remember that being respectful and answering questions with short, civil responses is the best way to handle an encounter with police officer. Accepting a traffic citation is not admitting guilt! You will have the opportunity to defend yourself in court if you choose to do so.

Handout 3. “The Case of Unlucky Speed Racer” Witness Role-Play for Drivers

Directions: You are a driver in the scenario below. You will read through the scenario and prepare to be “pulled over.” You will have five minutes to read the scenario and five minutes to prepare with another classmate who is the police officer for the role play. You will then conduct a role-play in front of the class.

In Re: The Unlucky Speed Racer

It is Memorial Day weekend and you are traveling down Maddy Street at approximately 10 p.m. on your way home by Hogan’s Sub Shop, where you work. You are stopped at a red light between the intersection of Maddy and Davis Street. You do not see anyone coming, and the light appears to be turning, so you proceed to make a left hand turn on Davis Street a few seconds before the light turns green. As you are turning, you accidentally put your foot on the gas and accelerate. Davis Street is not a one-way street.

Suddenly, you hear a siren and see lights. A police officer is behind you. You wait a few moments before proceeding to slow down and pull over. Officer Skipper approaches your vehicle, shining a flash light into your vehicle.

As Officer Skipper approaches the vehicle, he notices that you dropped your cell phone between the center console and your seat.

*You will conduct the role play utilizing everything you have learned regarding traffic stops including proper procedures to use during a traffic stop. You will use your desks as a vehicle for the role play.

Notes:

Handout 4- “The Case of Unlucky Speed Racer” Witness Role-Play for Drivers

Directions: You are the police officer in the scenario below. You will read through the scenario and prepare to conduct a traffic stop. You will have five minutes to read the scenario and five minutes to prepare with another classmate who is the driver for the role play. You will then conduct a role-play in front of the class.

In Re: The Unlucky Speed Racer

It is Memorial Day weekend and you are traveling down Maddy Street at approximately 10 p.m. on a routine sweep of the area. You are stopped at a red light between the intersection of Maddy and Davis Street. You then see a vehicle making a left hand turn onto Davis Street a few seconds before the light turns green. As the vehicle is turning, accelerates as if appearing to “take off.” Davis Street is not a one-way street.

As you are approaching the vehicle, you notice that the driver dropped something between the center console and the car seat.

*You will conduct the role play utilizing everything you have learned regarding traffic stops including proper procedures to use during a traffic stop. You will use your desks as a vehicle for the role play. Use the notes section below to write a mini-script regarding what you will say, including at least 5 questions to ask the driver during the role-play.

Notes/Questions:

Presentation Slide/Flip Chart D: Driver/Police Officer Role-Play Debrief

Notes/Discussion on Driver Role-Play	Notes/Discussion on Police Officer/Questions
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

Underage Drinking



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A Training Guide for School Resource Officers

Lesson Plan: Underage Drinking

Overview	This lesson focuses on underage drinking in South Carolina, the laws defining lawful drinking age, and the consequences for underage drinking. Additionally, the civil matter of Social Host Liability will be addressed.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Determine South Carolina statutes regarding underage drinking. 2. Analyze South Carolina court cases that have dealt with underage drinking. 3. Explore the dangers surrounding underage drinking. 4. Explore ways to prevent underage drinking.
Handouts	Handout 1. Case Study Handout 2. Case Study Responsibility Checklist Handout 2A. Case Study Responsibility Checklist Answer Key Handout 3. Underage Drinking Quiz Handout 3A. Underage Drinking Quiz Answer Key Handout 4. Social Host Liability in South Carolina
Presentation Slide/Flip Charts	Presentation Slide/Flip Chart A: Lesson Outcomes Presentation Slide/Flip Chart B: The Social Host Liability
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Lesson Hook: -Presentation Slide/Flip Chart A: 10 Minutes	The SRO will begin by introducing him/herself and tell students that today they will learn about underage drinking and about both criminal and civil laws which impact underage drinking. Brainstorming: <ol style="list-style-type: none"> 1. The students will be divided into groups of four to five students. 2. The students will individually list four things they know about underage drinking. 3. They will then walk around the room, sharing their lists with at least three other students who were not in their groups. 4. Once the students are back in their original groups, the groups will compile their lists and then break them into categories. 5. Based on their categories, each group will then develop a thesis concerning underage drinking. 6. The class will discuss the information as a group.

Underage Drinking, *continued*

<p>Underage Drinking Quiz – What do you know? -Handout 1 -Handout 1A <i>15 Minutes</i></p>	<ol style="list-style-type: none"> 1. The SRO will give each student a copy of the <i>Underage Drinking Quiz</i>. 2. The students will attempt to answer the questions using their personal knowledge of South Carolina laws that deal with underage drinking. 3. The students will compare their answers with other students. 4. The class will discuss the quiz, providing students with the correct answers found in the <i>Underage Drinking Quiz Answer Key</i>.
<p>Case Study on Underage Drinking and Responsibilities -Handout 2 -Handout 3 -Handout 3A <i>30 Minutes</i></p>	<p>The SRO will hand each student a copy of the <i>Underage Drinking Case Study</i> and the <i>Underage Drinking Responsibilities Chart</i>. This fictional case study will highlight the legal issues involved with underage drinking. As the students read, they will record which of the fictional characters may have been criminally or civilly responsible for the mayhem that ensued in the story. Students will discuss their opinions with their classmates and the SRO. The SRO will provide students with the correct answers and dispel myths about the roles each actor played in the case study.</p> <p>Note: Many other lessons and strategies are available at the South Carolina Department of Alcohol and Other Drug Abuse Services website. http://www.daodas.sc.gov/</p>
<p>Statute Search for Underage Drinking and Possession Charges and Penalties <i>20 Minutes</i></p>	<p>The SRO will divide the students into small groups. Each group will be assigned an area to research and report out. Each group will need a laptop/Chromebook/iPad for the assigned research purposes.</p> <ol style="list-style-type: none"> 1. Find the statutes relating to age of legal purchase. 2. Find penalties for underage alcohol possession. 3. Find statutes for charging a business selling to underage persons. 4. Find exemptions from punishment for underage person purchasing alcohol. <p>Should students encounter trouble finding the statutes, direct them to http://www.scstatehouse.gov.</p> <p>Students will then relate the statutes back to the case study chart completed earlier to establish which statutes cover each of the people who violated the law in the case study.</p> <p>The following site is maintained by the National Institute on Alcohol and Alcoholism through the National Institute of Health and offers an excellent quick policy explanation about varying state laws and a comparison of laws throughout the United States. https://alcoholpolicy.niaaa.nih.gov/APIS_State_Profile.html?state=SC</p>
<p>Closing</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and ask students to write five words or less regarding underage drinking 2. The SRO will ask students if they have any questions regarding the lesson.

Handout 1. Underage Drinking Quiz

Fill In the Blanks

1. _____% of high school students in South Carolina have tried alcohol.
2. _____ is the number of South Carolinians under the age of 21 who die each year from alcohol use.
3. South Carolina college students may lose their _____ Scholarship if they have two violations of alcohol or drug laws.
4. Teenagers who drink may lose as much as _____ % of their brain function.
5. Using false information about your age to purchase beer could land you in jail for _____ days.

True or False

6. A minor may be charged with “constructive possession” if they are in the presence of alcohol, even if they do not have any alcohol on them.
7. A minor who refuses a blood alcohol test may have their driver’s license suspended.
8. The blood alcohol limit for conviction of driving under the influence (DUI) is lower for minors than it is for adults.
9. Minors convicted of under-age drinking, DUI, using false identification, and having open containers of alcohol, all in one traffic stop, may be punished separately for all four crimes.
10. 35 % of South Carolina’s high school students claim they took their first drink, beyond just a few sips, before the age of 13.

Handout 1A. Underage Drinking Quiz

Answer Key

Fill In the Blanks

1. 71% of high school students in South Carolina have tried alcohol.
2. 85 is the number of South Carolinians under the age of 21 who die each year from alcohol use.
3. South Carolina college students may lose their LIFE Scholarship if they have two violations of alcohol or drug laws.
4. Teenagers who drink may lose as much as 10 % of their brain function.
5. Using false information about your age to purchase beer could land you in jail for 30 days.

True or False

6. A minor may be charged with “constructive possession” if they are in the presence of alcohol, even if they do not have any alcohol on them. **TRUE**
7. A minor who refuses a blood alcohol test may have their driver’s license suspended. **TRUE**
8. The blood alcohol limit for conviction of driving under the influence (DUI) is lower for minors than it is for adults. **TRUE**
9. Minors convicted of underage drinking, DUI, using false identification, and having open containers of alcohol, all in one traffic stop, may be punished separately for all four crimes. **TRUE**
10. 35 % of South Carolina’s high school students claim they took their first drink, beyond just a few sips, before the age of 13. **TRUE**

Handout 2. – Case Study Scenario

Mary and Mario Russell have won a weekend trip to the beach and are really looking forward to getting away from it all. They have two sons, Jim (21) and Malik (17.) The parents ask Jim to spend the weekend at home as a chaperone. The Russell's make sure there are plenty of groceries and that the boys have gas money. The parents tell Jim to take away the keys of anyone who may be drinking at the house over the weekend. With all of these tasks completed, Mary and Mario leave for their much deserved holiday.

Knowing that his parents are going to be out of town, Malik invites several members of his football team over for a party on Friday night. Jim, the college student, agrees to buy a keg of beer and to charge admission to the party. Jim's friend Reynaldo (23) works at a local convenience store. When Jim tells Reynaldo that the kids need the beer for a party, Reynaldo agrees to sell Jim and his brother the beer at a discounted rate. Jim and Malik hope they have enough beer but know they have access to their parents' wine and liquor should they run short. They are ready to party.

By 9:00 pm on Friday night, the entire team is there, as well as about twenty other high school students. Jim's girlfriend Maria (23), comes over to help Jim serve as a chaperone. As the beer supply dwindles, Marcos (17) discovers the parents' unlocked liquor cabinet. He gives his girlfriend Kendall (18) a gallon bottle of rum, which she drinks until it is empty. She gets very sick and has to be taken to the hospital for alcohol poisoning. Marcos gives his other friends, Steph (17) and Davin (17) bottles of liquor as well. Later on, the two boys get into an argument in the front yard. During the tussle, Davin falls and breaks his ankle. This is particularly damaging because Davin is the star of the football team and is hoping to be recruited by a Division I college team. Jordan (16) is worried that

the party is getting out of hand. She grabs a six-pack and tells her friends Keisha and Donell that it is time to go. On the drive home, Keisha and Jordan both drink a couple of beers. Donell, who is driving, does not. On the way home, someone runs a red light and plows into Donell's car. When the policeman gets there to investigate, she sees that there are empty beer cans in the back seat and searches the car. Meanwhile, back at the Russell house, the party is going strong. The music is blasting, and students are singing and yelling along. Mr. Pyle, who lives next door to the Russells, looks out of his window and sees the kids drinking, fighting, and skinny dipping in the pool. He closes the curtains, puts in some ear plugs, and goes to bed. Mrs. Kravitz, the neighbor who lives on the other side of the Russells, sees the same shenanigans and calls the police. Needless to say, with the arrival of the police the party ends.

Handout 3. – Case Study Responsibility Checklist

NAME	Check the Names of People Whom You Think Committed a S.C. Crime	Check the Names of People Whom You Think are Civilly Liable	List the Law They Violated or a Case That Set Precedent for Criminal Action	List the Case That Set a Precedent for Civil Action
Mary				
Mario				
Jim				
Malik				
Reynaldo				
Maria				
Marcos				
Kendall				
Steph				
Davin				
Jordan				
Keisha				
Donell				
Mr. Pyle				
Mrs. Kravitz				

Handout 3A. Case Study Checklist

Answer Key

NAME	Check the Names of People Whom You Think Committed a S.C. Crime	Check the Names of People Whom You Think are Civilly Liable
Mary		
Mario		
Jim		
Malik		
Reynaldo		
Maria		
Marcos		
Kendall		
Steph		
Davin		
Jordan		
Keisha		
Donell		
Mr. Pyle		
Mrs. Kravitz		

Presentation Slide/Flip Chart A: Lesson Outcomes

1. To determine South Carolina statutes regarding underage drinking.
2. To analyze South Carolina court cases that have dealt with underage drinking.
3. To explore the dangers surrounding underage drinking.

Presentation Slide/Flip Chart B - Social Host Liability in South Carolina

An adult social host who knowingly and intentionally serves, or causes to be served, an alcoholic beverage to a person he knows or reasonably should know is under the age of 21, is liable to the person served and to any other person for damages proximately resulting from the host's service of alcohol to an underage guest. Marcum v. Bowden, 372 S.C. 452, 462, 643 S.E.2d 85, 90 (2007).

Responsibilities During an Arrest



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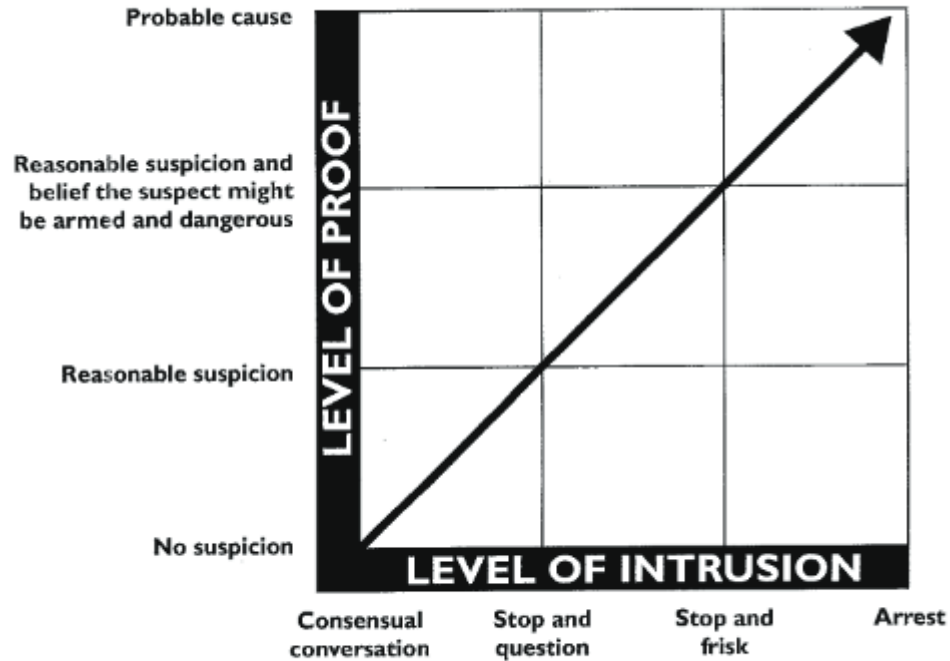
Lesson Plan: Responsibilities During an Arrest

Unit Title:	Responsibilities During an Arrest
Overview	This lesson focuses on the rights and responsibilities during an arrest, both for police and for citizens of South Carolina. Students will be able to share both their rights if arrested and the rights of police conducting the arrest. Students will also understand and define Reasonable Suspicion and Probable Cause.
Outcome(s)	As a result of the lesson, the student will be able to: 1. Establish what are the rights and responsibilities of police during an arrest 2. Establish what are the rights and responsibilities of citizens during an arrest
Handouts	Handout 1: Rights and Responsibilities During Arrest Handout 2: Rights and Responsibilities During Arrest: Police Actions Handout 3: Your Rights and Responsibilities During Arrest Handout 4: Rights and Responsibilities During Arrest: The Traffic Stop
Presentation Slide/Flip Charts	News video on rights during a traffic stop https://www.youtube.com/watch?v=IVYOLI_4GQo
Instructional Design <i>Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.</i>	
Introduction and Icebreaker: What's a Law <i>5 Minutes</i>	1. The SRO will begin by introducing him/herself and tell students they will learn about both rights and responsibilities during an arrest. 2. The SRO will then offer the following scenario to start students thinking about ideas of what happens during an arrest. Jen, Rachel, Sara, Angie and Jess are pulled over for a traffic violation. Upon approaching the vehicle the Officer believes there is suspicious activity going on. He smells a strong odor of alcohol coming from the car. He asks Jess, the driver, to get out of the car. She refuses. He commands Jess to get out, but she continues to refuse. Finally, he physically pulls her out of the car. Was he justified? Why or why not?
Officers' Rights and Responsibilities During an Arrest - Interactive Activity <i>25 Minutes</i>	Start with Handout 1 on the Smartboard detailing levels of proof needed for various interactions. Ask the students "What conclusions can you draw from the graph?" Move from there to Handout 2 covering Police Actions. Each student will get a copy. Give them about 5 minutes to read over the handout. Activity 1: Put the students into small groups or pairs. For each example on Handout 2 (consensual encounter, etc.) they need to create a scenario where each would come into play. Students should take about 30 minutes to do this. Once complete, have each group share one example and discuss as a class.

Responsibilities During an Arrest, *continued*

<p>Citizen Rights and Responsibilities During an Arrest <i>20 Minutes</i></p>	<p>Ask students if South Carolina requires you to give your name to officers or get out of the vehicle when asked to do so. Discuss their answers and correct any misconceptions. Discuss <i>Miranda v. Arizona</i>, 384 U.S. 436 (1966) and when it is triggered (custodial interrogation). Discuss the Fifth Amendment right against self-incrimination and Sixth Amendment right to an attorney. See <i>Gideon v. Wainwright</i>, 372 U.S. 335 (1963).</p> <p>Pass out Handout 3. It will cover rights and responsibilities during a stop or arrest. Note that juveniles may have different rights and responsibilities.</p> <p>Show YouTube videos of both positive and negative police interactions.</p> <p>Activity 2: In their groups, have students create a “play,” where they exhibit either a positive or negative interaction. They should take about 20-30 minutes to do this. Once complete, take up or check over. Each group will present to the class the following day.</p>
<p>The Traffic Stop -Handout 4 <i>20 Minutes</i></p>	<p>Pass out Handout 4. It will cover a scenario concerning public safety checkpoints and their use in relation to making arrests for DUI, narcotics, expired tags, insurance, license, outstanding warrants and the use of K9s. A series of follow up questions explore the students’ knowledge and opinions further. These questions may be done as individual work, small group work with report out, or as whole group discussion after the students have read the scenario.</p>
<p>Closing/ Homework <i>5 Minutes</i></p>	<p>The SRO will thank students for their time and answer questions with time remaining. Should all questions not be addressed, the SRO will allow students to submit their questions in writing for further response/clarification.</p>
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1-4 2. Access to YouTube video: https://www.youtube.com/watch?v=IVYOLI_4GQo

Handout 1 - Rights & Responsibilities During Arrest:



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“Levels of Proof Required for Police Interactions”

Consensual Encounter/Conversation: requires no suspicion, as subject has given consent to converse/search

Stop & Question: requires at least reasonable suspicion

Stop & Frisk: requires reasonable suspicion AND belief subject MIGHT be armed & dangerous

Search & Arrest: requires probable cause

Reasonable Suspicion: an objectively justifiable suspicion that is based on specific facts or circumstances and that justifies stopping and sometimes searching (as by frisking) a person thought to be involved in criminal activity at the time. See also *reasonable cause* at cause. Compare *probable cause* at cause, Terry stop. NOTE: A police officer stopping a person must be able to point to specific facts or circumstances even though the level of

suspicion need not rise to that of the belief that is supported by probable cause. A reasonable suspicion is more than a hunch.

Probable Cause: 1 : a reasonable ground in fact and circumstance for a belief in the existence of certain circumstances (such as that an offense has been or is being committed, that a person is guilty of an offense, that a particular search will uncover contraband, that an item to be seized is in a particular place, or that a specific fact or cause of action exists) [when supported by *probable cause* , warrantless search of vehicle may extend to every part of vehicle where objects of search might be concealed "*State v. Nixon*, 593 N.E.2d 1210 (1992)"] (called also *reasonable cause sufficient*).

cause compare reasonable suspicion. NOTE: The Fourth Amendment to the U.S. Constitution stipulates that "no warrants shall issue, but upon probable cause." Probable cause is also required for a warrantless arrest. Probable cause is an objective standard rather than a function of subjective opinion or suspicion not grounded in fact or circumstance. However, the facts or circumstances need not be of the nature of certainty necessary to establish proof in court.

Definitions from Findlaw.com

Handout 2 - Rights & Responsibilities **During Arrest: "Police Actions"**

Directions: You are going to create fact patterns/scenarios for each type of police interaction listed below. There is an example provided for you. Be sure your scenarios accurately portray the interaction. Keep in mind your scenario may begin as one type of encounter and end in another. Once completed, you will share 1 scenario with the class.

Consensual Encounter: PFC Rogers is patrolling a neighborhood. He sees Pete walking down the street. There have been a lot of burglaries in the neighborhood and PFC Rogers wants to know what, if anything Pete may know. He pulls alongside Pete and asks him to come over. Pete comes over and they begin chatting. As they converse, PFC Rogers notices Pete is nervous and smells like unburnt marijuana. He asks Pete if he can search him and Pete agrees. Upon searching Pete, PFC Rogers finds .3 grams of a green leafy substance in a baggie in the coin pocket of his jeans. Pete claims those are not his pants.

Your Turn: Create scenarios/fact patterns for the following interactions. You may use your own paper to complete the fact pattern.

1. Consensual Encounter
2. Stop & Question
3. Stop & Frisk
4. Search
5. Arrest

Remember you are going to share out one of your scenarios to the class.

Handout 3 – Your Rights & Responsibilities **During Arrest:**

Rights:

•**Remain silent:** Subjects can invoke their right to remain silent and their Fifth Amendment right not to incriminate themselves when talking to an officer.

•**Ask Questions:** For instance, why did they stop you in the first place or whether their instructions are commands.

•**To See Warrants:** You have a right to see a warrant, all you have to do is ask.

•**Asking for their Supervisor:** If you feel you're being treated unfairly, you may request a supervisor to the scene.

•**To Record:** Especially in SC, where only one party must be aware of recording you have the right to record interactions with police officers; however, it must not interfere with their job. *Note: they may also seize your phone for evidence in the case.*

•**Be Disrespectful:** While most will tell you it is UNADVISABLE, you do have a right to sass or be rude.

•**Refuse Consent:** It is within your rights NOT to consent to a search.

•**Leave:** If you are not formally under arrest, you may leave the encounter.

•**Attorney:** If arrested, you have a right to an attorney. Or if you feel your rights have been violated in some way.

Responsibilities:

- Not Obstructing or Interfering with Investigation
- Provide Accurate Identification
- Remain Calm

- Must Show Driver’s License, Proof of Insurance & Registration if Requested
- Comply with Commands
- IF ASKED YOU MUST EXIT YOUR VEHICLE or they may remove you by force
- To Inform the Officer of any LEGAL firearms/weapons that may be in your vehicle

Directions: Using the above for reference, research 2 Supreme Court cases that deal with rights and responsibilities during police interactions. Below list the case information (name/date/original state), facts and outcome. Be sure to include which right or responsibility it applies to and whether you agree with the Court’s decision.

Case Name:	
Facts:	
Your Opinion:	
Right/Responsibility:	

Case Name:	
Facts:	
Your Opinion:	
Right/Responsibility:	

Handout 4 - Rights & Responsibilities During Arrest: "The Traffic Stop"

Directions: Read the following fact pattern. Highlight any areas of concern. Then answer the follow-up questions.

The city of Summerville (SC) began "OPERATION ICE", which set up roadway checkpoints throughout the town. The goal of "Operation Ice", was to impede the flow of illegal narcotics into the area. In the first three (3) months the drug interdiction checkpoints occurred in various parts of the town, 5 times. SPD stopped 1,100 vehicles and arrested 102 motorists during that time. Only half (50% or 51) of those arrests were related to narcotics offenses, the rest were for other offenses.

SPD selected the locations, told the public when (but not where) the roadblocks would be set up, and followed the following protocol at the roadblocks: a predetermined number of vehicles (3) are stopped and processed, they are allowed to leave, unless there is a reason found to hold the vehicle. Once those vehicles leave, the same number of predetermined vehicles is stopped again and the process repeated.

As part of the stop SPD officers ask for license, registration and proof of insurance; then they tell drivers they have been stopped at a drug checkpoint. SPD officers then look for signs of impairment and do a visual inspection of vehicle from outside. An Officer then walks his K9 partner around the vehicle. If the K9 alerts, police are authorized to do a warrantless search of the car.

Rachel falls prey to one of these road checks. During the conversation, she shows signs of nervousness and anxiety. The SPD officer continues to ask her for license, registration and proof of insurance. Rachel cannot find her insurance card, but can show the SPD officer proof via her cell phone. The SPD K9 team walk around her vehicle. Luke (the K9) is an active alert dog and scratches the paint on her brand new top of the line mini-van. At one point, he actually launches himself into the window of the passenger side and begins to alert on the seat. K9 Luke is removed and then Rachel is told to get out. The SPD officers tear apart her vehicle, but find nothing. Eventually, she is given a ticket for "no proof of insurance" and sent on her way.

Follow-up Questions:

1. Are SPD's roadway checkpoints legal? Why/why not.
2. What type of interactions are involved in this scenario?
3. What level of proof does an officer need for a K9 to be employed?
4. What rights did each party have during this stop? Responsibilities?
5. What rights, if any, of Rachel's were violated?
6. Can you find Supreme Court cases that address ANY of these issues?
7. How would you advise either party if you were representing them in Court? Support your facts.

The 411 on Being a Good Witness



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LAW FOR POLICE AND YOUTH
A Training Guide for School Resource Officers

Lesson Plan:
The 411 on Being a Good Witness

Unit Title:	The 411 on Being a Good Witness
Overview	This lesson focuses on the role of a witness to a crime or during a trial and the laws in South Carolina regarding witnesses. Students will learn the role, key terms and tips on being a good witness. Students will then review South Carolina laws on being a witness, including S.C. Code Annotated sections 19-7-60 and 16-9-10. Students will also review Federal Rule of Evidence 701. Finally, students will apply their understanding of the laws and rules of witnesses to a witness role-play activity.
Outcome(s)	As a result of the lesson, the student will be able to: <ol style="list-style-type: none"> 1. Define the terms witness, affidavit, deposition and subpoena; 2. Explain the role of a witness including the purpose and importance of a witness in a civil or criminal matter; 3. Review tips on being a good witness; 4. Summarize South Carolina statutes regarding witnesses including, Section 19-7-60, and Section 16-9-10; 5. Summarize Federal Rule of Evidence 701; 6. Conduct a role-play involving questioning of a witness.
Handouts	<p>Handout 1. Lesson Hook Crime Scene Picture</p> <p>Handout 2. The 411 on Being a Good Witness/South Carolina Laws Guided Notes</p> <p>Handout 3. “The Case of Marta Leonard” Witness Role-Play for Witnesses</p> <p>Handout 4. “The Case of Marta Leonard” Witness Role-Play for Attorneys</p>
Presentation Slide/Flip Charts	<p>Presentation Slide/Flip Chart A: Hook Crime Scene Picture Questions</p> <p>Presentation Slide/Flip Chart B: Lesson Outcomes</p> <p>Presentation Slide/Flip Chart C: The 411 and South Carolina Witness Laws</p> <p>Presentation Slide/ Flip Chart D: “The Case of Marta Leonard” Witness/Attorney Role-Play Debrief Chart</p>

The 411 on Being a Good Witness, *continued*

Instructional Design

Includes what the SRO will be doing AND what the students will be doing in each segment of the instructional design.

Introduction and Lesson Hook:

-Handout 1

**-Presentation Slide/
Flip Chart A**

**- Presentation Slide/
Flip Chart B**

5 Minutes

1. The SRO will begin by introducing him/herself and tell students they will learn about the role of a witness to a crime or during a trial and the laws in South Carolina regarding witnesses.
2. The SRO will then distribute a crime scene photo and ask the students to take one minute to study the photos silently. (Handout 1).
3. After one minute, the SRO officer will ask students to turn over the handout so that the photo is face-down on their desk.
4. The SRO will then display the questions on Presentation Slide/Flip Chart A and ask students to quietly answer the questions in two minutes.
5. The SRO will then ask students to share responses from the items they remembered in the photos.

-The SRO will provide the following answers to the questions displayed on presentation **Slide/Flip chart A:**
 1. *The victim was wearing a blue and white striped shirt.*
 2. *The victim was wearing a black necklace with large beads.*
 3. *The victim has red hair, brown eyes, approximately 130 lbs, approximately 5 foot 5 inches, and is Caucasian.*
 4. *There were 30 orange books with a white sticker on each on the library cart.*
 5. *Three items on the floor next to the victim were a book, crumpled up paper, and a rag with what appeared to be blood on it.*
 6. *The words "caution" and "cuidado" appear on the crime scene tape.*
 7. *There was one brown chair with a grey colored seat in the photo.*
 8. *There was one full shoe print shown and one-half of a shoe print, which is facing away from the crime scene.*
 9. *The victim's left hand was facing up and the right hand was facing down. The victim's right foot was tilted to the right and the left foot was facing up.*
 10. *The number 5 is the exhibit on the floor next to the bloody rag by the victim.*
6. The SRO officer will then tell the students that being a witness is very important because they may observe or possess very important information that can help police officers, attorneys and victims in a case.
7. The SRO will then review the lesson outcomes and display **Presentation Slide/Flip Chart B.**
8. The SRO will state, "Today, you will learn about the role, key terms and tips on being a good witness. Then I will review laws on being a witness including Rule 701 of the Federal Rules of Evidence, Section 19-7-60 and Section 16-9-10. Finally, you will apply your understanding of the laws and rules of witnesses to a witness role-play activity."

The 411 on Being a Good Witness, *continued*

The 411 on terms, Being a Good Witness, and South Carolina Witness Laws:

-Presentation Slide/
Flip Chart C

-Handout 2

10 Minutes

1. The SRO will then display Presentation Slide/Flip Chart C and review the terms associated with being a witness. The SRO will ask students if they know what the terms “witness, affidavit, deposition and subpoena” mean.

Answers will vary.

A witness is someone who gives testimony as to what he/she has observed or has knowledge about. Often, witnesses are asked to testify in court.

A deposition is sworn testimony of a person, which can be used as evidence in court.

An affidavit is a written statement of a person, which can be used as evidence in court.

A subpoena is a court order requiring a person to come to court. If that person, doesn't come to court, they can be arrested.

2. The SRO officer will then tell students that South Carolina, like most states, follows special laws or rules pertaining to witnesses. The SRO will direct students' attention to flip chart C and review the laws.

South Carolina follows Rule 701 of the Federal Rules of Evidence which states that a lay (general) witness can testify to anything that they have perceived/observed, anything that may be useful or relevant at trial, and anything that is not technical or scientific.

Section 19-7-60 of the South Carolina Code states that a defendant has the right to subpoena witnesses to testify in court.

Section 16-9-10 of the South Carolina Code makes it a crime for a witness to provide misleading or false information under oath.

3. The SRO will then distribute **Handout 2** to the students and tell students that he/she will provide 5 tips for being a good witness. The students will fill in the guided notes as the SRO officer provides the tips below: The underlined portions below are what the students are supposed to write down on their guided notes.

Remain calm-Witnesses tend to remember more in a non-stressed state.

Observe everything-Pay attention to everything that you see and hear. You never know which small detail may give a detective a lead in the case!

Take notes-A witness can provide a lot more reliable information if it is written down. Taking notes at the time of the observation also assists with the witness' credibility and reliability of information at trial.

Don't touch anything-If you are a witness to a crime or accident, it is very important you don't touch anything because it can compromise evidence.

Be honest-If you do not remember or recall an answer to a question, it is perfectly acceptable to tell the officer or attorney; however, it is a crime to provide misleading or false information.

4. The SRO will state, “Now you will use what you have learned about witnesses by conducting a role-play.”

The 411 on Being a Good Witness, *continued*

<p>Activity: -Presentation Slide/ Flip Chart C -Handout 2 10 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will distribute Handout 3, to half of the class. These students will be witnesses in the role play. 2. The SRO will then distribute Handout 4, to the other half of the class. These students will be attorneys in the role play. 3. The SRO will review the directions with the witnesses first telling them that they will have 5 minutes to read the scenario on the paper. They will then be subpoenaed as a witness at trial. They are to prepare to testify in front of the class. The SRO will then review directions with the attorney volunteers, telling them that they are going to question a classmate who is a witness about an accident that the witness has observed. These students will come up with at least ten questions that they would ask a witness who observed an accident at trial. 4. After the five minutes is up, the SRO will ask for witness/attorney volunteers to come up and conduct the attorney/witness role play for approximately 10 minutes. 5. After the 10 minutes is up, students will share out responses regarding the questions and answers provided by each attorney/witness team during the role play. Student responses will be recorded on the board or Presentation Slide/Flip Chart D.
<p>Closing 5 Minutes</p>	<ol style="list-style-type: none"> 1. The SRO will thank students for their time and take the time to answer any questions the students have regarding the lesson.
<p>List of Materials</p>	<ol style="list-style-type: none"> 1. Handouts 1-4 2. Presentation Slide/Flip Chart A-D

Handout 1-Lesson Hook Hypothetical

Directions: Take one minute to review the following picture. When the SRO calls time, you must turn the picture face-down on your desk and follow the prompts provided by the SRO.



Presentation Slide/Flip Chart A: Hook Crime Scene Picture Questions

- 1. What color was the shirt the victim was wearing?**
 - 2. What jewelry, if any, was the victim wearing? Please describe.**
 - 3. Describe the victim's hair color, eye color, weight, height and race.**
 - 4. How many books are on the library cart? Please describe the color of the binding.**
 - 5. List the three items that are on the floor next to the victim.**
 - 6. What two words are on the crime scene tape?**
 - 7. How many chairs are in the photo? Please describe.**
 - 8. How many footprints did you see in the photo?**
 - 9. Describe the position of the victim's feet and hands.**
 - 10. Write the number that is on the exhibit on an item near the victim.**
-

Presentation Slide/Flip Chart B: Lesson Outcomes

As a result of the lesson, the student will be able to:

1. Define the terms *witness*, *affidavit*, *deposition* and *subpoena*;
2. Explain the role of a witness including the purpose and importance of a witness in a civil or criminal matter;
3. Review tips on being a good witness;
4. Summarize South Carolina statutes regarding witnesses 19-7-60, and Section 16-9-10. Students will also summarize Federal Rule of Evidence 701;
5. Conduct a role-play involving questioning of a witness.

Presentation Slide/Flip Chart C: The 411 on Being a Good Witness/South Carolina Witness Laws

Witness 411:

- A witness is someone who gives testimony as to what he/she has observed or has knowledge about. Often, witnesses are asked to testify in court.
- A deposition is a sworn testimony of a person, which can be used as evidence in court.
- An affidavit is a written statement of a person, which can be used as evidence in court.
- A subpoena is a court order requiring a person to come to court. If that person, doesn't come to court, he or she can be arrested.

South Carolina Witness Laws:

- South Carolina follows Rule 701 of the Federal Rules of Evidence which states that a lay (general) witness can testify to anything that they have perceived/observed, anything that may be useful or relevant at trial, and anything that is not technical or scientific.
- Section 19-7-60 of the South Carolina Code states that a defendant has the right to subpoena witnesses to testify in Court.
- Section 16-9-10 of the South Carolina Code makes it a crime for a witness to provide misleading or false information under oath.

5 tips on being a good witness:

1. Remain calm-Witnesses tend to remember more in a non-stressed state.
2. Observe everything-Pay attention to everything that you see and hear. You never know which small detail may give a detective a lead in the case!
3. Take notes-A witness can provide a lot more reliable information if it is written down. Taking notes at the time of the observation also assists with the witness' credibility and reliability of information at trial.

4. Don't touch anything-If you are a witness to a crime or accident, it is very important that you not touch because it can compromise evidence.

5. Be honest-If you do not remember or recall an answer to a question, it is perfectly acceptable to tell the officer or attorney; however, it is a crime to provide misleading or false information.

1. Fed. Rules of Evid. 701 (2016).
2. SC. Code Ann. § 19-07-60 (2003).
3. SC. Code Ann. § 16-09-10 (2003).

Handout 2- The 411 on Being a Good Witness/South Carolina Laws Guided Notes

Directions: Fill in the blanks as we talk about the 5 tips on being a good witness.

5 tips on being a good witness:

1. _____ -Witnesses tend to remember more in a non-stressed state.
2. _____ -Pay attention to everything that you see and hear. You never know which small detail may give a detective a lead in the case!
3. _____ -A witness can provide a lot more reliable information if it is written down. Taking notes at the time of the observation also assists with the witness' credibility and reliability of information at trial.
4. _____ -If you are a witness to a crime or accident, it is very important that you not touch anything because it can compromise evidence.
5. _____ -If you do not remember or recall an answer to a question, it is perfectly acceptable to tell the officer or attorney so; however, it is a crime to provide misleading or false information.

Handout 3- “The Case of Marta Leonard”

Witness Role-Play for Witnesses

Directions: You are a key witness in a car accident between two drivers. You will read through the scenario and prepare to testify at trial. You will have five minutes to read the scenario and five minutes to prepare with another classmate who is an attorney for trial. You will then conduct a role-play in which you “testify” in court.

In Re: Speed Racers

It is July 4th and you are traveling down Maples Street at approximately 3 p.m. to get some more ice cream for your Fourth of July party. You are stopped at a red light between the intersection of Maples and Olin Street. Suddenly, you see a man driving a white pickup truck, traveling at a fast rate of speed. The man appears to be in his late 30’s with brown hair and approximately 220 lbs. and is tall. The man speeds through the stoplight and hits a red car.

A woman gets out of the driver’s side of the car and appears to be holding the back of her neck. The woman appears to be in her late 20’s with blond hair and approximately 115 pounds. She appears to be of average height.

There are two other people who get out of their cars, including you, to help. The people that get out appear to be in their late teens or, early 20's, and both are both wearing shorts and t-shirts. As you dial 911, you notice that the man gets back into in his vehicle and drives off at a fast pace. You notice that the man’s license plate says SPDRCR on the back.

As the man drives off, the woman yells for someone to help her and sits down on the curb still holding her neck. You wait for the

ambulance to arrive and then give your statement to Officer Ollic. A few months later, you get a call from an attorney stating that the case is going to trial and that you need to testify to what you saw.

Meet with the attorney assigned to question you to prepare to take the witness stand. You may not use this statement when testifying at trial!

Handout 4- “The Case of Marta Leonard” Witness Role-Play for Attorneys

Directions: You are questioning a key witness in a car accident between two drivers. You will read through the scenario and prepare to question your assigned witness. You will have five minutes to read the scenario and come up with ten questions to ask your witness. You will then have five minutes to prepare with another classmate who is a witness for the trial. You will then conduct a role-play in which you ask your witness questions at “trial.”

In Re: Speed Racers

It is July 4th and your witness is traveling to the local grocery store.

The witness observes an accident involving two vehicles. One of the vehicles involved takes off before the driver in the other vehicle can obtain any insurance information. One driver has injuries. The witness provided a statement to the police officer who arrived on the scene shortly after the accident.

Questions:

Presentation Slide/Flip Chart D: Witness/Attorney Role-Play Debrief

Notes/Discussion on Witness Testimony	Notes/Discussion on Attorney Questions
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

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