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ABSTRACT

In answer to the concerns about school violence in the United States (especially since the tragedy in 1999 at Columbine High School in Littleton, Colorado), this Internet curriculum offers lessons and resources that address the topic of school violence and its causes, as well as the search for solutions. The curriculum presents four world wide web lessons: (1) "The Challenge of School Violence"; (2) "Creating Alternatives to Violence"; (3) "Should Hate Be Outlawed?"; and (4) "Implementing a Civic Action Project." It also lists the following web resources: "Links to Information about Youth Violence"; "CRF Resources on School Violence"; "The Active Citizenship Today Field Guide"; "The Challenge of Violence"; "Mock Trial: People v. Brunetti"; and "Terrorism in America." (BT)

CONSTITUTIONAL RIGHTS FOUNDATION

Web Lessons: School Violence

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Web Lessons: School Violence

The recent tragedy at Columbine High School in Colorado raises anew concerns about school violence in America. Following on the heels of a number of such incidents around the country since 1997, this latest and most deadly attack requires educators, students, and all Americans to address the causes of school violence and search for solutions. The lessons and resources included in this Internet curriculum provide readings, activities, and other resources on topics of school violence.

WebLessons

The Challenge of School Violence Each year, 3 million young people in the United States fall victim to crimes at school. Almost 2 million of these incidents involve violence. This lesson examines school violence and policy proposals related to it.

Creating Alternatives to Violence Although conflict is part of everyday life, it does not have to lead to violence. In this reading, students examine the nature of violence and discuss methods for addressing the problem.

Should Hate be Outlawed? "Hate crimes," crimes motivated by race, color, creed, religion, or gender are on the rise around the world. In the United States, over half such crimes are committed by people under the age of 21. This lesson explores legal issues arising from the prosecution of hate crimes and the protection of free speech.

Implementing a Civic Action Project In times of crisis, it is important to provide students with opportunities to get involved and help address the needs of their school or community. This short guide provides teachers with a nine-step process that empowers students to plan and implement a civic action project.

Web Resources

Links to Information About Youth Violence

CRF Resources on School Violence

The Active Citizenship Today Field Guide

The Challenge of Violence

Mock Trial—People v. Brunetti

Terrorism in America

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The Challenge of School Violence

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Every year, 3 million young people in the United States fall victim to crimes at school. Almost 2 million of these incidents involve violence. Although most school violence takes the form of minor assaults, some episodes are far more serious. Some end in tragedy. For example, in two recent academic years, a total of 85 young people died violently in U.S. schools. Seventy-five percent of these incidents involved firearms.

Reports of assaults, robberies, and vandalism were on the rise in U.S. schools from the late 1960s to the early 1970s. School violence leveled off by 1975. But in the early- and mid-1980s, reports revealed that school violence was on the rise once more, reaching a new peak in the early 1990s. Recent information tells us that today, school violence may be decreasing. In short, school violence, like violence in society, seems to run in cycles. These cycles appear to mirror the trends of violence in our larger society.

The threat of attacks in schools can create fear and disorder among students and teachers. According to a study conducted in 1995, 34 percent of middle school students and 20 percent of high school students admitted that they feared becoming victims of school violence. Eight percent of teachers say they are threatened with violence at school on an average of once a month. Two percent report being physically attacked each year. In a single school year in New York City, 3,984 teachers reported violent crimes against them.

Middle school students are more than twice as likely as high school students to be affected by school violence. Seven percent of eighth graders stay home at least once a month to avoid a bully. Twenty-two percent of urban 11- and 12-year-olds know at least one person their age in a gang. The typical victim of an attack or robbery at school is a male in the seventh grade who is assaulted by a boy his own age.

Studies suggest two reasons for the higher rates of middle school violence. First, early adolescence is a difficult age. Young teenagers are often physically hyperactive and have not learned acceptable social behavior. Second, many middle school students have come into contact for the first time with young people from different backgrounds and distant neighborhoods.

Urban schools suffer most from violence. Many of these schools serve neighborhoods troubled by violence and gang-related crime. It is not surprising that these problems find their way onto campus. But a study of 700 communities conducted by the National League of Cities revealed that 30 percent of suburban and rural schools also reported an increase in violence over a five-year period. In another survey conducted by the Children's Institute International, almost 50 percent of all teenagers—rural, suburban, and urban—believe that their school is becoming more violent.

What Can Be Done?

Educators and school boards across the nation are trying various measures to improve school safety. Although the goal of each school board is the same, the problem varies from district to district and even from school to school. Some school districts are relatively safe and seek to remain so. Others are plagued with problems of violence and need to restore order. So a number of different strategies are being tried in schools across the United States.

Discipline Codes, Suspensions, and Expulsion

Seeing a need for discipline, many schools are enacting discipline codes. The U.S. Department of Education suggests that schools set guidelines for behavior that are clear and easily understood. Students, teachers, and parents should discuss the school's discipline policies and talk about how school rules support the rights of students to get a good education. Students should know how to respond clearly to other young people who are intoxicated, abusive, aggressive, or hostile. Students, parents, and teachers can meet and develop an honor code that will contribute to a positive learning environment. Some schools have started first-offender and rehabilitation programs for students who have been implicated in or suspended for violent assaults at school. These programs offer tutoring and conflict mediation training for the offender and his or her parents. In addition, students and parents may be asked to sign a contract to participate in joint counseling with school staff once the suspended student returns to school.

Many school districts have adopted a zero-tolerance policy for guns. In Los Angeles Unified School District, any student found with a gun is expelled. The policy seems to be weeding out students who are carrying guns. In its first year, about 500 students were recommended for expulsion. The following year the number increased to almost 600 students. The increase raises questions. Is it due to better enforcement? Or is the policy not stopping students from carrying guns?

School Uniforms

Another policy rising in popularity is school uniforms. A recent study by the U.S. Department of Education suggests that school uniforms can help reduce theft, violence, and the negative effects of peer pressure caused when some students come to school wearing designer clothing and expensive sneakers. A uniform code also prevents gang members from wearing colors and insignia that could cause trouble and helps school officials recognize intruders who do

not belong on campus.

In Long Beach, California, students, teachers, parents, and school officials worked together to establish a uniform code for all elementary and middle schools. Each school chooses what its uniform will look like. In addition, students can "opt out" of wearing a uniform if they have their parents' approval. The Long Beach program involves 58,000 students and includes assistance for families that cannot afford to buy uniforms. In many Long Beach schools, graduating students donate or sell their used uniforms to needy families.

In the year following the establishment of the uniform policy, Long Beach school officials found that overall school crime decreased 36 percent. Fights decreased 51 percent, sex offenses decreased 74 percent, weapons offenses decreased 50 percent, assault and battery offenses decreased 34 percent, and vandalism decreased 18 percent. Less than 1 percent of the students chose not to wear uniforms.

Across the country, the adoption of school uniforms is so new that it's impossible to tell whether it will have a long-term impact on school violence. Critics have doubts. And some parents, students, and educators find uniforms coercive and demeaning. Some students complain that uniforms turn schools into prisons.

Increased Security Measures

Whenever a violent incident occurs on a campus, there usually are calls to institute stricter security. Many school districts are turning to security measures such as metal detectors, surveillance cameras, X-ray machines, high fences, uniformed security guards, and increased locker searches. Machines similar to those that line airports now stand in many school entrances. Video cameras common to convenience stores now monitor hallways of some schools. About one-fourth of all large school districts routinely use metal detectors to keep guns off campuses. A couple years ago, New York purchased X-ray machines to scan student purses and book bags for weapons.

These security measures definitely deter some violence, but they also have drawbacks. Take metal detectors as an example. First of all, they are expensive. Second, it takes a long time to scan every student. One Brooklyn, New York, high school has students arrive in shifts to get through the metal detectors. Third, metal detectors cannot deter anyone determined to carry a weapon. As a 1993 report for Dade County School Board stated: "Students become creative. They pass weapons in through windows to friends, hide knives and other sharp instruments in shoes and in girlfriend's hair. They manage to find creative ways to bring weapons to school."

Conflict Mediation and Other Education Programs

A number of schools have developed programs that focus on building students' self-esteem and developing social skills to improve student communication. And thousands of schools at all grade levels are teaching methods of conflict resolution and peer mediation to students, parents,

and school staff. In some schools, teachers and students are required to get to know each other in discussion sessions where everyone describes their personal strengths and weaknesses, their likes and dislikes, what makes them laugh, and what makes them angry.

Other schools are adopting innovative curricular programs. Law-related education helps students understand the legal system and social issues through interactive classroom activities. Service learning links classroom learning to activities in the community. Character education teaches basic values.

Many educators believe it is important to break down the cold, impersonal atmosphere of large schools by creating "schools within schools," or smaller communities of learning. Whenever possible, they argue, schools should hire more teachers to minimize school violence associated with classroom overcrowding. They also think it is helpful to offer specialized vocational training and instruction in career development to prepare young people for life in ways they can recognize are important.

Joining With the Community

Numerous schools have had success in reducing school violence by developing contacts with police, gang intervention workers, mental health workers, the clergy and the business community. Community groups and businesses can work with schools to create "safe zones," for students on their way to and from school. Stores and offices can also identify themselves as "safe spaces," where young people can find protection if they are being threatened. Enlisting the aid of the community to deal with school violence raises awareness of the problem and helps educators put their money where it belongs, in education.

Still other school districts have set up outreach programs with local employers, so that students with good academic records or special vocational training can be placed in jobs. Professor Jackson Toby of Rutgers University recommends that employers require high school transcripts as part of the job application process and make it known that the best jobs will go to students with the best records.

For Discussion

1. What factors do you think might contribute to school disorder and violence?

2. Why does school violence often occur more frequently in middle schools than in high schools?

3. Imagine that you are a school principal who must discipline a first-time violent offender. What action would you take?

4. What actions would you take as a school principal to ensure the safety of your students?

ACTIVITY: School Board Role Play

Step 1: Divide the class into groups of five. Inform students that each of these groups is going to role play the school board in Middletown, a small city. Tell them that the superintendent of schools has an important message for the board.

Step 2: Read aloud to the class this message from the superintendent:

> Good afternoon, members of the Board of Education.
>
> I am pleased to report that we have received the school safety grant that you directed me to apply for. The Middletown School District will receive $200,000 in grant funds. It is our job to use this money to make Middletown School District safer for our students. I await your instructions on how the School District should spend this money.

Make sure students understand that the board is to determine how to spend $200,000 to improve safety in Middletown schools.

Step 3: Tell students that six proposals have been submitted to the board.

School Safety Proposals

1. Special program for disruptive students. This program provides a special classroom at each school for students who are disruptive or who have been involved in violent behavior. A teacher and counselor will be specially trained to work closely with these students to improve their attitude, behavior, and study skills. Special attention will be paid to students with learning problems. If necessary, counseling services may be extended to families of these students. Cost: $120,000

2. School uniform program. All elementary and middle school students will be required to wear school uniforms unless parents opt out of the program. Each school will select its own uniform. The program will provide assistance to families who cannot afford to buy uniforms. Cost: $20,000

3. Increased security equipment and personnel. This plan provides metal detectors and hallway surveillance cameras on each middle and high school campus. One new security guard will be hired at each school to help staff the equipment. Cost: $160,000

4. Conflict resolution program. High school and middle school teachers will be trained in conflict resolution skills, which they will teach in various classes. Each middle and high school will develop a peer mediation program, in which students learn how to settle disputes among students. These peer mediators will also travel to elementary schools and train students in conflict resolution. Cost $67,000

5. School security patrol. This plan will pay for five full-time security officers to patrol the streets around schools in Middletown. These officers will patrol weekdays from 7 a.m. to 4 p.m. They will protect students traveling to and from school. These officers will also assist Middletown school security officers with problems on the school grounds and keep in radio contact with the Middletown Police Department. Cost: $140,000

6. Parent Training. This plan will pay for special night classes for parents. The classes will teach effective discipline techniques, how to deal with problem behaviors, and how to help students with school work. There will be classes for parents of students of all ages—from elementary school to high school. Cost: $25,000

Review each of the proposals. Answer any questions students may have.

Step 4: Tell each group to do the following:

Rank the programs according to which will be the most effective in reducing violence at the school.

Rank them again according to which will be the most cost effective. In other words, which will get the most results for each dollar spent?

Decide which programs you want funded and how much you will award each. Remember, you cannot exceed $200,000.

Make sure students understand that they can partially fund proposals if they want and that they cannot go over the $200,000 limit.

Step 5: Give students time for the role play. When groups are ready, have them report back their decisions. Record their decisions on the board.

Step 6: Debrief by asking: Which proposal seemed weakest? Strongest? Why?

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Creating Alternatives toViolence

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Although conflict is part of everyday life, it does not have to lead to violence. Dealing positively with conflict can help people understand each other better, build confidence in their own ability to control their destinies, and develop the skills they need to lead successful, productive lives. A wide variety of methods and programs have been developed to deal positively with conflict and resolve disputes before they become destructive.

The Chain of Violence

"Violence has been with us forever!"

"It's basic human nature to be violent."

"Look at the animals in the jungle. We're just the same as them!"

Sound familiar? You've probably heard people talk about violence in this way. Many people believe that violence is basic to human nature; that violence has been deeply imbedded in the human brain since the beginning of time; that there is nothing we can do about it.

But many scientists who study human behavior think differently. They believe that humans have learned to use violence in response to a more basic fact of life—conflict. Some of these scientists suggest that, if human beings have learned to use violent methods to deal with conflict in the past, they can learn to use other, more constructive methods to deal with conflict in the future.

For example, when people are able to describe a conflict clearly, they stand a better chance of solving a problem before it turns violent. In order to describe a conflict, it is helpful to understand what elements, or ingredients, must be combined to produce a conflict. Although conflicts usually arise out of a number of elements, they are always influenced by cause and effect. You've seen it happen—Terry insults Jody, Jody pushes Terry, Terry pushes back harder, and so on. Cause and effect can link a series of elements into a chain that leads to violence. What are some of the links in that chain? According to Carol Miller Lieber, an educator at Washington University, conflict usually begins with a lack of information. People in conflict

often don't know enough about each other to solve a problem they share. This lack of information leads to misunderstanding and the discovery of different goals, needs, values, or opinions. Barriers of race, language, age, or gender can turn up the heat on conflict.

These differences can be described as opposing points of view. At this stage in a conflict, people who hold opposite points of view will begin to argue. If they do not deal positively with their problem, they will resort to verbal threats or attacks to describe their differences. At this stage, the conflict often generates a flashpoint, behavior that triggers a physical attack from another group or individual.

Teens Believe They Learn to be Violent

In a recent study conducted by Children's Institute International, three out of four teen-ages said that they believed that violent behavior is learned. Of those, 43 percent think that violence is learned from parents. Another 20 percent say it is learned from television. Approximately 15 percent say it is learned from friends or others in the neighborhood. Additionally, young people who have carried a knife or gun in the past year are significantly more likely to believe that violence is learned.

Today, educators, social service experts, and psychologists are developing programs that teach young people how to resolve conflicts without using violence. What are these programs and how do they work? Have they gotten good results? Can anyone start a conflict resolution program? There are several different types of conflict resolution programs. Most of these programs move beyond a simple avoidance of violence to bring people face to face with the deeper, underlying elements of conflict.

Conflict Resolution Programs

Most conflict resolution programs are based on the premise that people can control emotions that arise out of conflict and lead to violent action. These programs are usually designed to provide people with skills they need to deal with conflict as it unfolds. Most conflict resolution programs focus on developing strong communication and problem-solving skills. Role-play activities are particularly useful in developing conflict resolution skills because they allow participants to experience what "the other side" feels and to understand the consequences—positive and negative—of a broad range of responses to conflict.

The primary goal of conflict resolution is to deal with the problem of violence, to keep individuals safe, healthy, and alive. But conflict resolution also encourages young people to peacefully address cultural and racial differences—skills that are necessary for survival in a multicultural world.

For example, at Roosevelt High, a San Francisco Bay Area high school, 53 percent of students are Asian; 42 percent are Latino. The school resonates to the sound of 15 different languages. In the past, racial issues often led to violence. By using conflict resolution techniques to explore the causes and effects of racial tension, students are now sharing their different cultural backgrounds instead of fighting over them. "We basically learned how to work together on little problems like misunderstandings and big problems like racism," said one Roosevelt High student. Dealing skillfully and methodically with a serious problem like racism on campus can help young people overcome feelings of helplessness and distrust. As they explore the causes and effects of racial conflict, they begin to feel more powerful and in control of their lives.

Peer Mediation

Mediation relies on a neutral third party to help groups or individuals deal with conflict. Peer mediation is one of the most popular forms of conflict resolution. Peer mediation is particularly effective in dealing with conflict between young people. Today's school-based, peer mediation programs got their start in the 1980s. They were part of a response to the increase in violence that affected many middle and high schools. Early peer mediation programs were modeled after successful adult programs, where community volunteers intervened to settle conflicts between landlords and tenants, consumers and local merchants, or squabbling neighbors. These neighborhood programs were guided by the idea that members of a community are best equipped to resolve all but the most serious of their own disputes, without having to rely on lawyers, the police, or the courts.

Like their adult counterparts, student mediators are taught conflict resolution techniques. Mediators can use these techniques to help fellow students settle disputes without having to turn to a teacher, counselor, or principal. Peer mediation programs work well in schools because young people usually connect better with each other than with adults. As one student described it, "When kids talk to other kids their age, they make them feel more comfortable to open up." And when young people come up with their own solutions to problems, they are taking control of their own lives. They are more likely to work hard and follow through on plans and projects that they have created to address their own problems.

According to the originators of SCORE (Student Conflict Resolution Experts), a successful peer mediation program in Massachusetts, students will grow to trust a well-planned program because it works. SCORE's results have been encouraging: Over a six-year period, more than 6,500 conflicts have been successfully mediated. Many of these conflicts involved violence, and many of them revolved around serious racial issues that pitted large groups of students against each other. Ninety-five percent of SCORE's mediations produced written agreements; less than 3 percent of these agreements have been broken. An effective peer mediation program should have the capacity to mediate a high volume of conflicts. It should include all types of students as mediators and should be useful in settling even the most challenging disputes, including racial and multi-party disputes. SCORE recommends 20 to 25 hours of hands-on training that develops listening, communication and problem-solving skills. Mediators need to learn how to remain neutral in conflicted situations and to help the conflicted parties look beneath the surface for the

root causes of conflict. Most important, peer mediation training should include numerous role-plays that give future mediators hands-on experience in dealing with conflict situations.

One student mediator commented on how the SCORE program made a difference in his life. He said: "Before I got into SCORE, there was no other way...but fighting. You would never think, 'Well, I'm going to sit down and try to talk with this person. Let's see if we can work something out.' I never thought that way. But now I do."

Negotiation

In negotiation, there is no independent third party: individuals or groups in conflict use agreed-upon ground rules that allow them to work toward an agreement. In order for negotiation to succeed, both parties must want to find a solution. Neither side must try to win. And both sides must be willing to move away from their original, conflicted position. At the same time, both parties must learn to stand up for their own needs, even if they have to change their position.

Strong communications skills are critical in negotiation, so that both sides can clearly express and understand each other's feelings, needs, and desires. Most important, the parties in conflict must set down and follow guidelines. These guidelines must describe shared interests, for example, "We both need to be able to come to school." As each party suggests possible solutions to the problem, they can evaluate them by determining if they fall within the guidelines for shared interest.

Other Violence Prevention Methods

Below is a brief survey of other programs and methods for managing and resolving conflicts before they escalate into violence:

Crime prevention and law-related education programs describe how the criminal justice system responds to crime, explore public policy options for dealing with crime, and teach young people how to become involved in making their communities safer.

Gun violence education programs highlight the threats and consequences involved in the mishandling of guns and offer alternatives to solving problems with guns.

Life skills training programs may not address violence directly, but they can help young people learn how to avoid violence. Life skills programs usually offer methods to resolve conflict and develop friendships with peers and adults. Young people learn how to resist negative peer pressure and deal with issues of intergroup conflict.

Recreation programs cannot prevent youth violence by themselves, but they are attractive to young people and work well when linked up with other violence prevention programs. Sports are good outlets for stress and anger, teamwork teaches cooperation, and keep young people off the

street and away from possible violence.

Violence prevention programs work best when they are combined with other efforts. For example, efforts to keep weapons out of school can benefit from the support and understanding of parents, local government, the police, and of social or psychiatric services for at-risk youth. The whole community benefits the most when the whole community participates in dealing with the problem of youth violence.

For Discussion

1. In your opinion, is violence an integral part of human nature?

2. How can a conflict lead to violence? What are some links in the chain of cause and effect?

3. Who do you think are better qualified to resolve youth conflicts: young people or adults?

4. Most violence prevention programs have not yet been evaluated. Do you think they are effective? Why or why not?

5. Imagine that you are the principal of a middle school. You are concerned with student violence. What kind of prevention program would you adopt? Why?

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Should Hate Be Outlawed?

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CLIFTON, NEW JERSEY—Several 13- and 14-year-olds spray paint swastikas on Jewish homes.

LOS ANGELES, CALIFORNIA—A group of skinheads tries to provoke a race war by plotting to shoot members of an African-American church.

HOUSTON, TEXAS—A youth tells police he shot a gay man to death because he hates homosexuals.

BROWARD COUNTY, FLORIDA—While yelling racial hate names, a mob of youthful partygoers beats to death a Vietnamese-American college student.

These are a few examples of "hate crimes." Organizations like the Anti-Defamation League and the Southern Poverty Law Center report that hate-motivated vandalism, cross burnings, bombings, beatings, and murders have been increasing at an alarming rate in the United States.

Even more disturbing is that people under 21 commit half of all hate crimes in this country. Between May 1990 and May 1992, over 200 serious hate-crime incidents occurred in the nation's high schools alone. Although few youths who commit these crimes belong to hate organizations, some are attracted to neo-Nazi skinhead gangs. These groups believe that a race war against the Jews and "mud races" is the "only ultimate solution."

Several educational programs, such as the Anti-Defamation League's "A World of Difference," are attempting to reduce prejudice and hate in the schools. At the same time, lawmakers have been crafting statutes making certain kinds of hateful acts, like Ku Klux Klan-style cross burnings, illegal. Other statutes have increased penalties for crimes motivated by racial and others forms of prejudice. But should hate be outlawed? Some people argue that even bigotry is protected by the First Amendment's guarantee of free speech.

Banning Acts of Hate

Over the past decade, some states and cities have prohibited certain acts as hate crimes. For example, in 1989, St. Paul, Minnesota, passed the following city ordinance:

Whoever places on public or private property a symbol, object, appellation [name], characterization or graffiti including . . . a burning cross or Nazi swastika, which one knows or has reasonable grounds to know arouses anger, alarm, or resentment in others on the basis of race, color, creed, religion, or gender, commits disorderly conduct and shall be guilty of a misdemeanor.

About a year after St. Paul's hate-crime law was enacted, police arrested a group of white juveniles for a series of cross burnings. In one instance, the youths taped chair legs together into a crude cross and set it ablaze inside the fenced yard of a black family.

In an appeal that reached the U.S. Supreme Court, attorneys for the juvenile defendants argued that the St. Paul law violated the free-speech provision of the First Amendment. The city responded that by prohibiting such acts as cross burnings, the ordinance served "a compelling governmental interest" to protect the community against hate-motivated threats.

In June 1992, a unanimous Supreme Court agreed with the juvenile defendants. Writing the opinion for the court, Justice Antonin Scalia stated that while government may outlaw activities that present a danger to the community, it may not outlaw them simply because they express ideas that most people or the government find despicable.

Scalia also pointed out that other laws existed to control and punish such acts as cross burnings. In this case, the city could have prosecuted the juvenile offenders under laws against trespassing, arson, vandalism, and terrorism. "Let there be no mistake about our belief that burning a cross in someone's front yard is reprehensible," Scalia wrote. "But St. Paul has sufficient means at its disposal to prevent such behavior without adding the First Amendment to the fire." (R.A.V. v. City of St. Paul.)

Enhanced Penalties

St. Paul's statute is only one type of hate-crime statute. Instead of creating special hate crimes, these other statutes add extra penalties for any crime committed out of hate. This is the approach taken by the Hate Crimes Sentencing Enhancement Act sponsored by Representative Charles E. Schumer (D-N.Y.). Schumer's bill would lengthen prison terms by a third for federal crimes involving attacks motivated by hate. The House of Representatives passed this bill in September 1993, and the Senate is now considering it.

Penalty-enhancement laws like the Schumer bill already exist in more than a dozen states. Wisconsin's statute enhances the maximum penalty for an offense whenever a criminal "intentionally selects the person against whom the crime . . . is committed . . . because of the

race, religion, color, disability, sexual orientation, national origin or ancestry of that person. . . ."

On October 7, 1989, Todd Mitchell, 19, and a group of other young black men were standing outside an apartment building in Kenosha, Wisconsin. They were discussing the movie, "Mississippi Burning," which concerns Ku Klux Klan terrorism against blacks in the South during the 1960s. As they were talking, a 14-year-old white boy, Gregory Reddick, happened to be walking on the other side of the street. Mitchell asked his friends, "Do you feel hyped up to move on some white people?" He then pointed to Reddick and said, "There goes a white boy. Go get him!" About 10 members of the group, but not Mitchell himself, ran across the street, beat up Reddick, and stole his tennis shoes. Severely beaten, Reddick remained in a coma for four days and suffered permanent brain damage.

As the instigator of the attack, Mitchell was tried and convicted of aggravated battery, which normally carries a penalty of two years in prison. But the jury found that Mitchell had selected his victim because of his race. Consequently, the judge applied Wisconsin's hate-crime enhancement law and added two more years to Mitchell's sentence.

Mitchell appealed his sentence, claiming that the state's enhancement act violated the First Amendment. Wisconsin's state Supreme Court agreed with Mitchell. This court found that the sentencing-enhancement law, in effect, punished Mitchell for his thoughts. Relying heavily on the U.S. Supreme Court's ruling in R.A.V. v. City of St. Paul, the Wisconsin court concluded that even "bigoted thought" is protected by freedom of speech.

The state of Wisconsin appealed the case to the U.S. Supreme Court. Below are some of the major points raised in the state's brief to the court:

1. The enhancement law applies only to criminal acts (i.e. selecting a victim), not to speech or actions protected by the First Amendment.

2. During sentencing, judges commonly consider many things including a criminal's motives.

3. Unlike R.A.V. v. City of St. Paul, the law in this case does not prohibit specific speech, symbols, or beliefs.

4. The purpose of the state's enhanced penalty law is to eliminate prejudiced criminal behavior, which is a "compelling governmental interest."

The attorneys representing Mitchell made these points in their brief to the Supreme Court:

1. Selecting a victim is not an act but a mental process that is therefore protected by the First Amendment.

2. Judges may consider a broad range of things in sentencing criminals, but they should not be required to automatically lengthen penalties solely because of a

criminal's motives.

3. The enhancement law is based on a criminal's motives, which are, in turn, based on his or her thoughts and beliefs, which are protected by the First Amendment.

4. The Wisconsin law also violates the equal protection clause of the 14th Amendment by treating criminals who are motivated by prejudice differently from criminals not so motivated, even though their crimes are identical.

On June 11, 1993, the U.S. Supreme Court upheld the Wisconsin hate-crime penalty-enhancement law. Writing for a unanimous court, Chief Justice William Rehnquist held that a criminal's prejudiced motives may be used in sentencing, although "a defendant's abstract beliefs, however obnoxious to most people, may not be taken into consideration by a sentencing judge." The chief justice also stated that "the statute in this case is aimed at conduct unprotected by the First Amendment." (State of Wisconsin v. Todd Mitchell.)

As the Wisconsin and Minnesota cases show, the line between punishing hate and protecting speech and free thought, can be difficult to draw. On one side, our Constitution seeks to assure tolerance and equal protection for all citizens no matter what their race, ethnicity, religion or gender. On the other hand, our constitution contains protections for individual beliefs, no matter how distasteful they might be. Finding a balance between the two is a challenge for us all.

For Discussion

1. In the R.A.V. v. City of St. Paul decision, the U.S. Supreme Court ruled that cross burnings are a form of free speech protected by the First Amendment. What reasons did the Court give for this decision? Do you agree or disagree? Why?

2. What reasons did the Court give for upholding enhanced penalities in the sentence of Todd Mitchell? Do you agree with the reasons? Why or why not?

3. Which, if any, of the following acts do you think could be prohibited under the constitution? Explain your answers.

   a. A white skinhead calls for a race war in a speech on a public university campus.

   b. In a speech before an all-black audience, a black speaker says that whites are "bloodsuckers" and are the enemy of African-Americans.

   c. A Ku Klux Klan group wearing white hoods and robes holds a rally in a public park.

d. A high school student wears an armband with a swastika on it.

For Further Reading

Jacobs, James B. "Should Hate Be A Crime?" Public Interest. Fall 1993: 3+.

Trebilcock, Bob. "Reading, 'Riting, 'Rithmetic. . . Racism." Redbook. Oct. 1993: 98+.

R.A.V. v. City of St. Paul, 112 S.Ct. 2538 (1992)

State of Wisconsin v. Todd Mitchell, 113 S.Ct. 2194 (1993)

ACTIVITY: Advisory Opinion

Imagine that you are legal counsel for the Senate Judiciary Committee for the state of Minnisconsin. The committee has asked you to advise it about constitutionality of a bill which has been introduced on the floor of state legislature. It is your job to write a brief opinion and submit it to the committee.

To complete the task, follow these steps:

Step 1: Carefully read the following "Committee Summary" of the proposed law:

> Senate Judiciary Committee Summary—Proposed Legislation
>
> Title: Arson Penalty Enhancement
>
> Purpose and Legislative History: Cross burnings continue to be a significant problem in our state. Last year, 32 were reported statewide. Our previous state law was similar to the ordinance which was ruled unconstitutional by the U.S. Supreme Court in R.A.V v. City of St. Paul. The proposed legislation adds the following language to the definition of the crime of arson (in bold) :
>
> Arson Defined. State Penal Code Sec. 1553-A person is guilty of arson when he or she willfully and maliciously sets fire to or burns or causes to be burned or who aids counsels or procures the burning of any structure,, forest land, property or symbol on the land of another.
>
> In addition, the statue adds an additional two year prison term to "any person who is convicted of arson and who selected the property to be burned or the land on which the property was burned on the basis of the owner's or occupier's race, religion, color, disability, sexual orientation, national origin or ancestry."

Step 2: Carefully review the cases of R.A.V. v City of St. Paul and Wisconsin v. Mitchell from the article.

Step 3: Write a memo to the Senate Judiciary Committee which answers the following question: Does the First Amendment prohibit the definition of arson and/or the enhancement of the penalty for arson as described in the statute? In your answer be sure to use the court decisions in the two cases and give at least three reasons for your opinion. Turn in your opinion to the teacher and be prepared to discuss it with the class.

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Implementing A Civic Action Project

Overview

In the face of a crisis such as the shootings at Colorado's Columbine High School, a natural disaster, or civil strife, students often feel helpless and fearful. It is important to provide them with opportunities to get involved and help address the needs of the community. This short guide provides teachers with a nine-step process for empowering students to plan and implement civic participation projects in the community.

List of Student Materials

Distribute this material to students as suggested below or students can obtain the material from the web as needed. The student material consists of the following:

The Six Basic Steps of an Action Project. This gives students an overview of the six steps they will have to take to complete a project:

(1) select a problem to work on,
(2) research the problem,
(3) choose a project,
(4) plan the project,
(5) do the project, and
(6) evaluate what you've done.

Project Plan. This helps students with the most difficult and important step—planning theproject. It provides a step-by-step guide for planning a project and filling out a project plan.

Project Ideas. This is a list of projects designed to address issues of violence, terrorism, and healing.

Organizations Concerned With Violence. A list of places to look for information and support around issues of violence in your own community.

A good additional resource, which helps guide students through the whole process of a service project, is the ACT Field Guide. It is a 200-page student-friendly book.

Procedures for Guiding Students in a Civic Action Project

(1) Decide in advance:

How much class time can students spend on a project?

Will you limit the project to school or can students do a project that requires them to go off-site?

Will the whole class do one project or will separate groups do their own project?

Will you decide on a project in advance and guide the students to choose that project, or will you give the students several projects to choose from, or will you let the students decide for themselves on a project? (Note: The more decisions students make themselves, the greater their buy-in to the project.)

(2) Introduce the project. Explain to your students that they are going to do an action project to help their community. Set the guidelines (time, place, manner) for their projects. It's also a good idea to assign students to keep individual journals about the project. This will aid your individual evaluation of the students.

(3) Preview the steps. Distribute The Six Basic Steps of an Action Project to the class and discuss the basic steps on an action project.

(4) Select a problem. Brainstorm a list of community problems. Have students meet in small groups, select the three top problems, and report back to the whole class. Get a class consensus on the problem that students want to work on.

(5) Research the problem. Your students' research will depend on what problem they select and what they need to find out. In general, they should look for answers to four questions:

What causes the problem?

What are its effects on the community?

What is being done about the problem?

Who is working on the problem or interested in it?

They should also be looking for ideas for action projects.

Students should report to the class what they discover. To find answers, they can:

Invite community experts to speak to the class on the problem.

Interview experts.

Look in the library.

Explore the media—watch television news, listen to radio news, read the newspaper, or search the Internet.

(6) Decide on an action project. Distribute Project Ideas and discuss them. The class can brainstorm additional project ideas. Then in groups, they can select the top three ideas. Regroup the class and decide on a project.

(7) Plan the project. Have students read Project Plan. If teams are doing different projects, have each team submit a plan filled out on paper. If the whole class is doing the same project, you can plan the project as a whole group or you can assign a committee to submit a Project Plan for the whole class to review.

(8) Do the project. If the whole class is doing the project, tasks may be divided among committees with a project coordinating committee overseeing the entire project.

(9) Evaluate the project. Have students do a formal evaluation of the project's success. Have them also evaluate how well they planned, how well they worked as a team, and what they learned from the project.

The Six Basic Steps of an Action Project

Here are six basic steps you can use for any action project.

Step 1: Select a Problem. Get your group together and discuss what community problems concern you. Make a list and choose one problem to focus on. To help you decide, ask the following questions: Which problem affects your community the most? Which would be most interesting to work on? Which could be worked on most easily? Which would you learn the most from?

Step 2: Research the Problem. The more you know about a problem, the more you'll understand how to approach it. Try to find out as much as you can about these questions:

What causes the problem?
What are its effects on the community?
What is being done about the problem?
Who is working on the problem or is interested in it?

To find answers to these questions, try the following:

Use the library. Look up newspaper and magazine articles. Ask the reference librarian for help.

Interview experts. Call local government officials. Find people at non-profit organizations that work on the problem.

Survey community members. Ask questions of people you know.

Step 3: Decide on an Action Project. Think of project ideas that would address the problem your team has chosen. Make a list. As a team, decide on the top three project ideas. Think about the pros and cons of each project idea. Evaluate each in terms of your available time, materials, and resources. Select the most suitable one.

Step 4: Plan the Project. To prevent false starts or chaotic results, you need a plan. See Project Plan for details.

Step 5: Do the Project.

Step 6: Evaluate the Project. While implementing the project, it's important to evaluate—to think about how you are doing and figuring out how you can do things better. At the end of the project, you'll want to evaluate how you did. To make evaluating easy, you'll need to plan for it. See Project Plan for details. In addition to evaluating the project's results, be sure to examine how well your group worked together and what you

learned as an individual.

Project Plan

Planning is an important step in an action project. You may want to get out there now and make some waves. But hold on. If you take the time to plan now, you will save time, energy, money, and heartbreak because you'll know where you're going and how to get there. The more time you spend on planning, the less time your project will take.

Make your project plan on paper. Your plan will have nine parts. Before you begin planning, read through all nine parts. You'll want all the parts of the plan to fit together and support each other.

Part 1. Project Name. Invent a catchy name for your project. Use it on anything you create for the project—fliers, posters, letterhead, etc.

Part 2. Team Members. Write the names of your team members down. It's good to start thinking about the strengths and talents of each team member so you can make use of everyone on the project.

Part 3. Problem Statement. Try to describe your problem with a single sentence. This is hard to do, but describing your problem clearly and simply can help you focus on what you can do about it. Then briefly write what else you know about the problem by answering the following questions:

What causes the problem?
What are its effects on the community?
What do people affected by the problem want done?

Part 4. Goals. Describe your goals. Be specific and practical. Can you achieve your goals? Keep your goal statement clear and simple, like your problem statement. Goals help chart your course. If you know where you want to go, you can usually determine how to get there.

Part 5. Project Description. Describe your project in two or three sentences. Look at your problem statement and goals. How will your project deal with your problem and address your goals? Describing your project clearly and simply can give you a chance to think about what you are going to do, how you are going to do it, and why.

Part 6. Resources. List different individuals or organizations who might help you with your project. Government, non-profit, and business organizations may be working on the problem or interested in it. Tap into these resources.

Part 7. Action Steps. Your goal tells you where you're going. What steps will you take to get there? Write down the details of your plan. Explain how the project will work.

Part 8. Task Chart. Once you have decided on the steps to your plan, break down the steps into tasks. Try to think of everything that needs to be done. Then assign people jobs that they want to do and can do. Put someone in charge of reminding people to do their tasks. Set a deadline, or due date, for each task.

Part 9. Evaluation Plan. Take time now to figure out how you are going to measure the success of your project. There are several ways to evaluate a project. Pick the best ways and figure out how to do it for your project.

Before-and-After Comparisons. You can show how things looked or how people felt before your project, then show how your project caused changed. You might use the following to make comparisons: photos, videos, survey results, or test scores.

Counting and Measuring. You can count or measure many different things in a project. For example: How many meetings did you have? How many people attended? How many voters did you register? How much time did you spend? Numbers like these will help you measure your impact on the community.

Comparisons With a Control Group. You may be able to measure your project against a control group—a comparable group that your project does not reach. If, for example, you are trying to rid one part of town of graffiti, you could compare your results to another part of town with the same problem.

Project Ideas

You may want to help your community prevent violence from happening or to help community members heal from the effects of violence. Working together, students, teachers, and concerned citizens can develop projects to help the community. Here are a few project ideas to get you started, but keep in mind that often, the most effective projects are those you create yourself.

1. Organize a community forum about violence prevention or healing from violence. Invite experts with different viewpoints to take part in classroom discussions or public debates.

2. Organize a counseling project at a local teen center or other non-profit organization to discuss the causes, effects, and alternatives to violence.

3. Start a conflict-resolution program to train students as conflict managers to help others resolve conflicts non-violently. Use student expertise.

4. Create a school-wide understanding program to encourage better relations among groups.

5. Survey student attitudes toward violence and intergroup relations.

6. Hold a speech contest on violence prevention. Have three winners speak at other schools or at community events.

7. Organize a community heroes day for police, fire department and other community rescue workers. Invite rescue workers to speak in classrooms.

8. Approach local radio stations to create a talk-radio program for young people to discuss their responses to violence with trained counselors.

9. Start a column on violence prevention in your school or local newspaper.

10. Set up a web site on violence prevention.

11. Organize a student grand jury to review an incident of terrorism and its effect on the community.

12. Create a drama about violence and healing.

Organizations Concerned With Violence

You're not alone. Look around. You will probably find other individuals and groups in the community who want to help prevent violence or help community members heal from violence.

Government and Community Organizations

- Health Departments (county, state, federal)
- Social Service Agencies (county, state)
- Mental Health Agencies (county, state)
- Police Departments (local, county, state)
- Neighborhood Watch (local, state)
- Judicial Systems and Justice Departments (local, county, state, and federal)
- Fire Departments (local)
- Housing Authorities (county, state)
- Secondary and Elementary Schools (local, county)
- Neighborhood Associations (local)
- Tenants Associations (local)

Volunteer Service Organizations

- Salvation Army (local, national)
- Goodwill Industries (local, national)
- National Network of Runaway and Youth Services (local, national)
- Big Brother/Big Sister (local, national)
- Medical Associations (local)

Private Organizations

- NAACP (local, national)
- The Urban League
- Churches, Religious Organizations (local, national)
- Colleges and Universities (local, state)
- Local Businesses
- Media (local newspapers, radio and television stations)
- YMCA/YWCA (local, state, national)
- Professional Sports Organizations (local)

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School Violence Links

Updated 4/27/99

Non-Profit Organizations

Center for the Prevention of School Violence http://www.ncsu.edu/cpsv/

National Resource Center for Safe Schools http://www.nwrel.org/safe/

A resource full of useful research strategies, reference literature, and how-to guidance culled from the across the country. Click on "Tragedy Response: Lessons Learned in Springfield" on the front page.

National School Safety Center http://www.nssc1.org/

A resource for school safety information, training, and violence prevention.

Safe, Secure and Healthy Schools Resources from the National Education Association, the nation's largest teacher organization.
http://www.nea.org/issues/safescho/

Community Violence Prevention Kit From the National PTA.
http://www.pta.org/events/violprev/index.htm

Keep Schools Safe http://www.keepschoolssafe.org/
A project of the National Association of Attorneys General and the National School Boards Association.

Ribbon of Promise http://www.ribbonofpromise.org/
A non-profit dedicated to ending school violence lets you download and perform for free "Bang Bang You're Dead," a play by William Mastrosimone, which requires a minimum of 11 actors, little in the way of production values, and runs 40 minutes.

School House Hype: School shootings and the real risks kids face in America.
From the Justice Policy Institute. http://www.cjcj.org/jpi/schoolhouse.html

Preventing School Violence http://www.ascd.org/issue/violence.html
Policies for Safety, Caring, and Achievement An infobrief synopsis from the Association for Supervision and Curriculum Development.

Warning Signs http://helping.apa.org/warningsigns/
The American Psychological Association's web site on the warning signs of violent behavior.

Stopping School Violence http://www.ncpc.org/2schvio.htm
Resources from the National Crime Prevention Council.

Teaching Tolerance http://www.splcenter.org/teachingtolerance/tt-index.html
Teaching resources from the Southern Poverty Law Center.

Resources: Teaching Steps to Tolerance From the Museum of Tolerance.
http://tst.wiesenthal.com/resources/hate.html

Victims Organizations

KNJ Foundation http://www.knj.org/main.html
Devoted to ending school violence and supporting the victims of school-related violence.

Kids Peace http://www.kidspeace.org/
A national centers for kids overcoming crisis.

School Violence — http://www.ncvc.org/newsltr/schvio.htm
Are You Prepared to Respond? From the National Center for Victims of Crime.

Government

Juvenile Justice http://www.ncjrs.org/jjhome.htm
Extensive resources on youth violence, victimization, and youth action projects from the Justice Information Center.

Early Warning, Timely Response: A Guide to Safe Schools
http://www.ed.gov/offices/OSERS/OSEP/earlywrn.html
A Department of Education and Department of Justice guide to help school personnel, parents, community members and others identify early indicators of troubling and potentially dangerous student behavior.

White House Conference on School Safety http://www.juvenilenet.org/live.html
Archived from October 15, 1998.

Students' Report of School Crime:1989 and 1995
http://www.ojp.usdoj.gov/bjs/abstract/srsc.htm
From the Bureau of Justice Statistics.

Facts About Violence Among Youth and Violence in Schools From the Centers for Disease Control. http://www.cdc.gov/od/oc/media/pressrel/r990421.htm

Youth Violence in the United States http://www.cdc.gov/ncipc/dvp/yvfacts.htm
A report from the National Center for Injury Prevention and Control, which is run by the Centers for Disease Control.

Violence and Discipline Problems in U.S. Public Schools: 1996-97
http://nces.ed.gov/pubs98/violence/
A report from the National Center for Education Statistics.

Violence and the Public Schools
http://www.people.Virginia.EDU/~rkb3b/Hal/SchoolViolence.html
A fact sheet by Hal Burbach, Curry School of Education.

School Safety http://eric-web.tc.columbia.edu/administration/safety/
A collection of resources by the ERIC Clearinghouse on Urban Education.

School Violence Virtual Library http://www.uncg.edu/edu/ericcass/violence/index.htm
Produced by ERIC Counseling and Student Services Clearinghouse.

From Words to Weapons http://www.aclu-sc.org/school.html
A 1995–96 survey of students in Los Angeles Unified School District.

Unlearning Violence http://www.cyfc.umn.edu/Other/unlearning.html
A Violence Prevention Plan From the Minnesota Department of Education.

When Kids Kill Resources from the Why Files, a National Institute for Science Education project funded by the National Science Foundation.
http://whyfiles.news.wisc.edu/065school_violence/

Broadcast Media

ABC News http://www.abcnews.go.com/

Violence in U.S. Schools From ABC News.
http://www.abcnews.go.com/sections/us/DailyNews/schoolshootings990420.html

CBS News http://www.cbs.com/common/flat/flat_section_200.html

CNN Interactive http://www.cnn.com/

Are Our Schools Safe? An in-depth special feature from CNN.
http://www.cnn.com/SPECIALS/1998/schools/

Magazines

Issue of the Week: Gun Violence and Children http://www.policy.com/issuewk/98/0525/
Policy.com offers links to articles on this issue.

Violence in the Schools http://education.indiana.edu/cas/tt/v2i3/v2i3toc.html
An issue devoted to school violence from Teacher Talk, a new publication for secondary teachers.

The Story of a Gun http://www.theatlantic.com/election/connection/crime/larsgun.htm
A 1993 Atlantic Monthly article about a school shooting.

U.S. News "Minimizing Risks in Schools"
http://www.usnews.com/usnews/issue/990503/3scho.htm

Newspapers

Boulder News http://www.bouldernews.com/shooting/

Denver Rocky Mountain News http://www.insidedenver.com/shooting/

Los Angeles Times "Tragedy in Colorado"
http://www.latimes.com/HOME/NEWS/REPORTS/HSSHOOT/

Washington Post "Juvenile Violence"
http://www.washingtonpost.com/wp-srv/national/longterm/juvmurders/keystories.htm

USA Today "Tragedy in Colorado" http://www.usatoday.com/news/index/colo/colo000.htm

Listservs

High School Violence List http://www.onelist.com/subscribe/HS_Violence
A place to voice your opinion on the reasons behind the apparent increase in violent death in today's high schools. Why are the levels of violence increasing? Who's to blame? What are the solutions?

Safe Schools Newsletter
This e-newsletter talks with professionals (police, fire, rescue, security personnel, doctors, etc.) about measures you can take as a parent, guardian, teacher, school

administrator or concerned citizen to protect your children in school. List members can also talk about how to protect our children. To subscribe, send an e-mail with your FIRST and LAST NAME in the body of the message to: safe-schools@ourlist.net

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