



Unit 4

Stop-and-Frisk

Unit 4
Stop-and-Frisk: Fourth Amendment Violation or Necessary for Public Safety?

Unit Questions

How should we resolve claims that certain police practices violate the principal of equality before the law? Is stop-and-frisk necessary to public safety? When does a police practice amount to a violation of the Fourth Amendment?

Length of Unit

This unit can be completed in four lessons of about one hour each.

Overview

Some controversies arise when our shared values and principles conflict with one another. Police “stop-and-frisk” policy is one such issue. In stop-and-frisk, police officers stop, question, and conduct a pat-down search of pedestrians or occupants of cars. Some police leaders contend that a stop-and-frisk program is useful to promote public safety. Of course, if stop-and-frisk is not effective, it can be an invasive practice often implemented in a discriminatory way. The conflicting values that arise from stop-and-frisk are public safety on the one hand, and privacy and equality on the other.

This unit will allow students the opportunity to explore and evaluate this issue through a variety of nonfiction sources, evaluating the strengths and weaknesses of authors’ arguments. The focus of this unit is on the close reading of texts, and on building and supporting an argument.

Unit Objectives and Standards

By the end of this unit, students will be able to:

- Explain the purposes of stop-and-frisk and the issues the policy raises.
 - [NSCG III.D.2](#), [NSCG III.D.1](#);
 - [MI-HSCE 8.3.3](#), [MI-HSCE C3.4.3](#);
 - [CCSS.ELA-LITERACY.RH.9-10.2](#);
 - [C3 D2.Civ.10.9-12](#)

- Describe the tension between the values underlying the stop-and-frisk debate.
 - [NSCG II.D.4](#)
 - [MI-HSCE 2.2.3](#), [MI-HSCE 2.2.5](#)

- Summarize the facts and identify the legal issues in stop-and-frisk cases.
 - [NSCG V.B.5](#);
 - [MI-HSCE P2.3](#), [MI-HSCE P2.4](#), [MI-HSCE C6.1.2](#);

Unit 4: Overview
Stop-and-Frisk

- o [CCSS.ELA-LITERACY.SL.9-10.3](#), [CCSS.ELA-LITERACY.SL.9-10.4](#);
- o [C3 D4.2.9-12](#)

Anticipated Student Understanding/Challenges to Understanding

This unit assumes students have already studied fundamental values and principles of America’s constitution and that they have an understanding of how to read nonfiction documents and evaluate an author’s argument.

Materials Needed

What we provide:

- Unit readings and handouts
- Teacher answer keys

What you provide:

- Hard copies of handouts
- A stopwatch for the debate

Unit Assessment

- Students will engage in a class debate about how to implement a stop-and-frisk policy.

References

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- Bill Bratton, *Bill Bratton: You Can’t Police Without Stop-And-Frisk*, HERE AND NOW (Feb. 25, 2014), <http://hereandnow.wbur.org/2014/02/25/bill-bratton-nypd>
- Dylan Matthews, *Here’s what you need to know about stop and frisk — and why the courts shut it down*, WASHINGTON POST (Aug. 13, 2013), <https://www.washingtonpost.com/news/wonk/wp/2013/08/13/heres-what-you-need-to-know-about-stop-and-frisk-and-why-the-courts-shut-it-down/>
- *Floyd v. City of New York*, 959 F. Supp. 2d 540 (S.D.N.Y. 2013)
- Kimbriell Kelly et al., *What Happens When Police are Forced to Reform*, FRONTLINE (Nov. 13, 2015), <http://stories.frontline.org/what-happens-when-police-are-forced-to-reform>
- Matthew McKnight, *The Stop-and-frisk Challenge*, THE NEW YORKER (Mar. 27, 2013), <http://www.newyorker.com/news/news-desk/the-stop-and-frisk-challenge>
- Michael R. Bloomberg, *Michael Bloomberg: ‘Stop and frisk’ keeps New York Safe*, THE WASHINGTON POST (Aug. 18, 2013), https://www.washingtonpost.com/opinions/michael-bloomberg-stop-and-frisk-keeps-new-york-safe/2013/08/18/8d4cd8c4-06cf-11e3-9259-e2aaf5a5f84_story.html

Unit 4: Overview
Stop-and-Frisk

- Rocco Parascandola et. al., *Exclusive: Huge drop in stop-and-frisk as NYC crime increases raises fear that cops are reluctant to confront criminals*, NEW YORK DAILY NEWS (June 5, 2015, 2:30 AM), <http://www.nydailynews.com/new-york/nyc-crime/exclusive-big-fall-stop-and-frisk-criminals-bolder-article-1.2247406>
- Ryan Devereaux, *'We Were Handcuffing Kids For No Reason': Stop-And-Frisk Goes On Trial*, THE NATION (Mar. 28, 2013), <https://www.thenation.com/article/we-were-handcuffing-kids-no-reason-stop-and-frisk-goes-trial/>

Lessons/Activities

Lesson 1: Stop-and-frisk Overview

Students will use the Nonfiction Source Evaluation Chart to learn background information and analyze the different positions of the stop-and-frisk debate.

Students will be able to:

- Analyze non-fiction texts to evaluate the stop-and-frisk policy.
- Examine different viewpoints on the stop-and-frisk policy by evaluating the author's argument, tone and purpose.
- Describe the different arguments of the stop-and-frisk debate.

Lesson 2: Analysis of Court Opinion

Students will read and analyze a district court opinion concerning the issue of stop-and-frisk in NYC.

Students will be able to:

- Analyze a district court opinion evaluating the stop-and-frisk practice.
- Analyze non-fiction articles to evaluate the stop-and-frisk policy.
- Examine different viewpoints on the stop-and-frisk policy by evaluating the author's argument, tone and purpose.

Lesson 3: Stop-and-frisk Evaluating the Positions

Students will develop an evidence-based argument for their position in the stop-and-frisk debate.

Students will be able to:

- Evaluate the arguments for stop-and-frisk.
- Use evidence to support their position.
- Prepare for a debate.

Lesson 4: Stop-and-frisk Debate

Students will participate in a debate about stop-and-frisk.

Students will be able to:

- Debate over a proposal to implement the stop-and-frisk policy.
- Use textual evidence support their argument.