

**Lesson 1**  
**What is this case about?**

**Lesson Objectives**

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Students will be able to:

- Provide a brief explanation of recent prisoner rights issues.
- Explain the nature, facts, issues, and relevant case law for *PLN v. Redwood County*.

**Materials**

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- Handout 1: Nonfiction Source Evaluation Chart
- Handout 2: PLN article
- Handout 3: *Prison Legal News (PLN) v. Redwood County*

**Lesson Assessments**

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- Evaluation of Prison Legal News Article
- Handout 3: *Prison Legal News (PLN) v. Redwood County*

**Instructional Activities**

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*Anticipatory Set*

- Copy the following prompt on the board:  
When people go to prison, their liberties are limited in many ways, both as part of their punishment and in order to run prisons safely and securely. Consider this list of rights:
  1. Freedom of speech
  2. The right to peaceable assembly
  3. The right against unreasonable searches and seizures of persons or effects (“effects” = property)
- Place students into small groups and assign each group of students one right from the list above. Students will discuss, and answer the following questions for the right assigned to their groups:
  - a) Your best guess about the current law: Can the government limit this right for prisoners?
  - b) Your opinion: To what extent, if any, *should* the government be allowed to limit this right for prisoners?
  - c) Your justification: Why should the government be able or unable to limit this right?

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- Students will then share out their responses to the class and engage in a general discussion of whether the government should be permitted to infringe on the constitutional rights of prisoners.
- Introduce students to the Mock Trial Unit by reading the following overview to the class:

This unit will investigate the degree to which the government should be permitted to infringe on prisoner's rights. For much of U.S. history, prisoners were considered to have lost the protection of the Constitution and other laws; they were sometimes described as "slaves of the state." American prisoners suffered through deplorable living conditions, non-existent or poor medical care, brutal labor requirements, and arbitrary punishment. The tide began to turn in the 1960s and '70s, when, in the midst of the civil rights movements, prison conditions came under greater public scrutiny and activists began to advocate for the rights of incarcerated people. The first time the Supreme Court held that a prisoner could file a civil rights lawsuit was in 1964 in the case of [Cooper v. Pate](#), in which an Illinois state prisoner had been held in solitary confinement because of his religion, and was denied access to the Koran. A decade later, in [Wolff v. McDonnell](#) a case regarding unfair disciplinary charges in the prison system, the Supreme Court famously declared, "there is no iron curtain between the Constitution and the prisons of this country."

Despite these strides in court-enforceable protections for prisoners, concerns over democratic practices within the system remain today. Over the past forty years, civil rights litigation concerning [prison conditions](#) has made the courts a critical forum for debating what rights prisoners should have, and for enforcing those rights.

- To prepare for the mock trial, students will read and analyze a number of nonfiction sources. Distribute **Handout 1: Nonfiction Source Evaluation** and briefly discuss the chart with students, noting that the chart is broken up into three categories (sourcing, corroboration, and close reading) and each category contains a number of questions that will guide students' analysis of nonfiction sources. Instruct students to work with a partner to read through the chart and discuss why it is important to consider each category when analyzing a nonfiction source.
- Students will share their reactions to the Nonfiction Source Evaluation chart with the class. Use this time to ask students if there are any aspects of the chart they don't understand.

*Guided Practice*

- Distribute **Handout 2: Prison Legal News Article** (alternatively, students can read a current article from the [Prison Legal News](#) publication) and explain that Prison Legal News is a journal which provides articles on criminal justice issues, particularly issues concerning prisoners' rights. Instruct students to use the questions from the nonfiction source evaluation chart to guide their analysis of the article. Students will read through the article and work with a partner to respond to the sourcing and close reading questions. Ask students to share out their responses and their reactions to the article(s) and the

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publication. During the discussion students should be able to identify that prisoners are an intended audience for this publication. Ask students whether they think prisoners should have access to this article and other articles from the Prison Legal News publication and why prison officials might not want prisoners to have access to these articles. (Potential answers: these articles are critical of prisons; sheriffs may not like being criticized; sheriffs may think these articles will make prisoners become discontent with the prison policies and will cause disruptions.)

- Inform students that some jails have kept the PLN publication from prisoners, and as a result, PLN has filed—and mostly won—a number of lawsuits challenging the prison's censorship. The focus of this unit will be investigating and conducting a mock trial for one such case, *PLN v. Redwood County*. Provide students with **Handout 3: *PLN v. Redwood County*** and instruct students to read through the Introduction and Facts, underlining important information. Point out that much of this text is from original court documents, but has been slightly altered to fit the needs of the mock trial (original documents can be viewed on the website.) Use the Handout 3 Teacher's Guide (below) to check for student understanding of this background material.
- As a class, read through the Law section of Handout 3 to learn about the legal standards that will be used to adjudicate the case. Use the Handout 3 Teacher's Guide (below) to guide student understanding of the law.
- Divide the class into small groups. Students will complete the Applying the Law section, reading through the excerpts and responding to the questions. Students should be prepared to discuss the key facts of the case and why the court reached the decision it did. The goal of this activity is to help students apply the law to the facts. Students can do either or both excerpts.

*Independent Practice*

- Ask students to write a brief newspaper article or deliver a brief news report (no more than 250 words) telling the public about the case and summarizing the rule of law that will apply to the case.

*Closure*

- After students have completed and shared their articles and/or news reports, explain that they'll be exploring the case through a mock trial, beginning with pretrial preparation.