

Lesson 2

Does NYC’s stop-and-frisk policy fairly balance the interests of the Fourth Amendment and protecting public safety?

Lesson Objectives

- 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

Materials

- Handout 1: Stop-and-Frisk Evidence Packet
- Handout 3: Responses to *Floyd v. City of New York*
- Teacher’s Guide: *Floyd v. City of New York*

Lesson Assessments

- Responses to *Floyd v. City of New York*

Instructional Activities

Anticipatory Set

- Students will respond to the following questions on their own and discuss their responses as a class.
 - How does your approach to analysis differ when you are analyzing a court opinion vs. when you are analyzing a newspaper article?
 - How is it similar?
 - What questions do you emphasize in analyzing a court opinion?
 - What questions from Nonfiction Source Evaluation chart can you use to analyze a court opinion?
- As student share their responses, create a list of questions on the board.

Guided Practice

- Inform students that today’s lesson will continue to look at the issue of stop-and-frisk by analyzing a federal district court opinion issued in 2013 that evaluated whether the city’s search practices violated the Constitution. Instruct students to turn to page 8 in the Stop-and-Frisk Evidence Packet. Distribute **Handout 3: Responses to *Floyd v. City of New York***. Read through the court opinion as a class and use the *Floyd v. City of New York*

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Teacher's Guide (below) to guide students' understanding and analysis. As they read, students should annotate the opinion, highlighting important information and responding to the questions posed.

- After the class has read through the opinion, students will work in pairs to respond to the questions in Handout 3. Students will share out their responses with the class. Remind students that the plaintiffs in *Floyd* did not seek to end the use of stop-and-frisk. Rather, the plaintiffs wanted to reform stop-and-frisk to comply with constitutional limits.

Independent Practice

- In pairs, students will read '*We were Handcuffing Kids for No Reason*': *Stop-And-Frisk Goes on Trial* on page 24 of the Stop-and-Frisk Evidence Packet, and *The Stop-and-Frisk Challenge* on page 34. Students should respond to the questions from the Nonfictions Source Evaluation Chart.

Closure

- At the end of class, students will respond to the following prompt:
 - What is the most compelling argument that supports the stop-and-frisk practice?
What is the most compelling argument that opposes the stop-and-frisk practice? Is there an alternative police practice that better achieves the policy's underlying goals?

Homework

- Students will read *Michael Bloomberg: 'Stop-and-frisk' keeps New York safe* on page 43 the Stop-and-Frisk Evidence Packet, and *Stop-and-frisk Protects Minorities* on page 46. Students should respond to the questions on the Nonfiction Source Evaluation Chart. Before lesson 3, students should complete all the readings in Handout 1 and answer the source evaluation questions for each reading.