|  |
| --- |
| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Principles of Law, Public Safety, Corrections, and Security  |
| **Lesson/Unit Title** | Sentencing Guidelines |
| **TEKS Student Expectations** | 130.332. (c) **Knowledge and Skills**(10) The student identifies the roles of the public safety professional. (E) The student is expected to identify types of sentencing and sentencing rules. |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | The student will be able to:* Identify types of sentencing and sentencing rules
* Research types of alternative sentencing
 |
| **Rationale** | Sentencing is a very important phase of the court process. Judges and juries must follow the guidelines set forth by law and precedent to ensure that due process is served on those convicted of crimes. |
| **Duration of Lesson** | 2 hours |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | Types of Sentencing* **Concurrent**: runs the same duration as another sentence
* **Consecutive**: sentences run one after another
* **Deferred**: the sentence is postponed until a later date
* **Determinate**: the sentence lasts a specific amount of time
* **Indeterminate**: a period of time to serve “not less than” and “not to exceed” a range of punishment
* **Life**: the convicted person spends the remainder of his or her natural life in prison
* **Mandatory**: the sentence is imposed from a statute that gives no room for discretion. A judge may not suspend or give probation
* **Maximum**: the longest amount of time that can be given for an offense
* **Straight** **or** **flat**: a fixed sentence without a maximum or a minimum
* **Suspended**: withholding or postponing the pronouncement of a sentence or its execution
 |
| **Materials/Specialized Equipment Needed** | **Materials*** Sentencing Guidelines Key Terms handout
* Computers with Internet access
* Sentencing Guidelines Research Rubric
* Discussion Rubric
* Research Rubric
 |
| **Anticipatory Set**(May include pre-assessment for prior knowledge) | **Engage**Do an Internet search for the following: Judge Refuses to Reduce Benson in Fatal Crash. Read and discuss the article to determine if the sentence given was adequate for the crime committed. Conduct a class discussion on the sentence that should be given, if it differs from the one assessed. Based on Texas’ sentencing guidelines, what sentence would he face? Review the statutes at[http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.49.htm#49.08.](http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.49.htm#49.08) Use the Discussion Rubric for assessment. |
| **Direct Instruction \*** | * + 1. Sentencing Rules in Texas
			- 1. Misdemeanors

Class C: Fine not to exceed $500Class B: Fine not to exceed $2,000 and up to 180 days in jail, or bothClass A: Fine not to exceed $4,000 and up to 1 year in jail, or both* + - * 1. Felony

State Jail Felony (SJF): not less than 180 days or more than 2 years, and a $10,000 fine3rd Degree felony: not less than 2 years or more than 10 years, and a $10,000 fine2nd Degree felony: not less than 2 years or more than 20 years, and a $10,000 fine1st Degree felony: not less than 5 years and up to 99 years, and a $10,000 fineCapital: life without parole, or death* + 1. Alternative Sentencing
			- 1. Shock probation: a short amount of incarceration in addition to a period of probation
				2. Work release: offenders report to jail during non-work hours
				3. Weekend sentencing: offenders report to jail only for a weekend or another designated time
				4. House arrest: offender is monitored by electronic means and may not leave the house except for certain reasons

Community service: required work for a government or nonprofit agency without payProbation: serves sentence in the community; offenders must abide by special guidelinesBoot camps: highly regimented program styled after the military to instill discipline and hold youths accountableFines: monetary amounts paid to the court in lieu of confinementRestitution: money paid to the victim for damages and suffering “Scarlet Letter” punishments: punishment by shaming (example: a judge requires a child molester to put a sign in his front yard stating that he is a sex offender)Asset forfeiture: seizure of personal assets, used in or obtained from illegal activity, by the governmentIncarceration: a period of confinement to either jail or prisonDiversion: charges are dropped after the person completes a condition such as a treatment program**Accommodations for Learning Differences**For reinforcement, the class will participate in a mock justice system. Allow the class to set some simple rules such as wearing ID, dress code, bringing supplies, etc. Students that violate these rules shall be issued a “ticket” for the violation (you will need to select two students to serve as police officers). Have the students elect a judge and prosecutors. Allow the other students to serve as defense attorneys. Create a mock trial situation, trying each violation as a separate offense. Select 6 – 12 students to serve on the jury. Once both sides have presented their cases, allow the jury to deliberate and determine what sentence should be given. You may allow them to pre-set punishment ranges or allow them to be creative, as long as they are reasonable with the punishments. After the trials discuss the punishments given and determine whether or not the sentences were effective. Use the Discussion Rubric for assessment.*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Guided Practice \*** | * Group Discussion. Have the students review news stories and videos about the alternate sentencing programs. To find some sample news stories and videos (prior to class) do an Internet search for the following:
* Concurrent or Consecutive Sentence (LawWebTV)
* Taylor Thompson gets shock probation
* Man Escapes from Work Release Program, Arrested in Montgomery
* Lindsay Lohan Turns Herself in for House Arrest
* After dirty drug test, suspect gets probation

Then have the students discuss the pros and cons of each alternative.Here are some sample questions:* What problems arise from the work release program and weekend sentencing?
* What are the benefits of these programs to the community or to the offender?
* Which of the programs do the students feel would be most beneficial? Use the Discussion Rubric to assess student understanding.

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | * Research Alternative Sentencing Options. Have the students research some forms of alternative sentencing. Students should research the effectiveness of each of the programs and look for news articles of cases where judges have imposed these and other forms of alternative sentencing. Use the Sentencing Guidelines Research Rubric for assessment.

Another option for this activity is to assign each student an imaginary offender. Based on the profile of the offender, have the student create probation guidelines that fit the assigned offender. You may also choose to have the students create a form of alternative sentencing for their offender. They must be able to justify why they chose that particular method of sentencing.*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \***  | * Sentencing Guidelines Exam and Key

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **References/Resources/****Teacher Preparation** | <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.49.htm#49.08>Do an Internet search for the following:* Judge refuses to reduce benson in fatal crash
* Findlaw sentencing
* Legalmatch types alternative sentencing
* Cliffnotes types of sentences
* Concurrent or Consecutive Sentence (LawWebTV)
* Taylor Thompson gets shock probation
* Man Escapes from Work Release Program, Arrested in Montgomery
* Lindsay Lohan Turns Herself in for House Arrest
* After dirty drug test, suspect gets probation
 |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | **English/Language Arts**1. Research

A. Formulate topic and questions.Explore a research topic. |
| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) | For enrichment, have students research sentencing guidelines in other states then compare and contrast the differences between the guidelines from other states and those from Texas. Use the Research Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)