

**Curriculum for
National Center for State Courts**

***Justice Case Files 2:
The Case of Stolen Identity***

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NCSC Justice Case Files 2:

The Case of Stolen Identity

Goal:

This packet of support materials seeks to provide varied instructional tools that any teacher (grades 6-12) may use, in part or in whole, to fit specific objectives, content needs, and/or differing student abilities while teaching one fundamental concept: stolen identity.

It is the belief of the National Center for State Courts (NCSC) that the U.S. court system is not designed to punish its citizens, but rather to help citizens learn how to follow the law that benefits us all. The fundamental base of a fulfilled citizen is knowledge of the system that protects her/his rights. As such, the NCSC seeks to use as many avenues as possible to educate its citizens, hence this exciting venture into the graphic novel field.

Packet Materials:

The activities presented in this packet range from traditional worksheets to thought-provoking Q&A's supported by preparatory worksheets, and from an essay component to extended research.

- ❖ The traditional worksheet section consists of a short answer “basic facts of the case” terminology worksheets based on ability level (a middle school version which comes directly from the text – crossword format; and a high school version which requires more student effort – matching format), exercises with current legislation, and a scenario worksheet that would lead to a fantastic classroom discussion.
- ❖ The crossword puzzle is a lighthearted method of learning/remembering the basic concepts used in *Justice Case Files 2*.
- ❖ Lesson plans involve creating legislation and educating others about prevention.
- ❖ Two possible essays are...

Option 1: Given the increasingly easy access to personal information, how can the judicial and legislative branches work together to enable the courts to protect the rights of all U.S. citizens effectively?

Option 2: Explain the advantages and disadvantages of Internet banking and credit/debit cards.

- ❖ Extended research may be conducted, based on the time available to the teacher, on pending legislation at the state and national levels in regard to identity theft. Some suggested areas of research are included in the packet.
- ❖ Extended activities are suggested, such as (1) a trip to the local court, (2) holding a mock trial role play, (3) having a mock legislature to develop bills to solve the issues addressed in *Justice Case Files 2*, (4) assigning a concluding written assignment to address the difficulties in stopping identity theft, or how courts deal with and adapt to changes in society, and (5) creating a public service announcement about protecting your identity.
- ❖ The packet concludes with applicable national DOE standards, as well as links to state standards.

Identity Theft Teacher Materials

Suggested Uses:

1. Teachers may start with the “Double Down Introductory Worksheet” to engage students with the unit.
2. Teachers may then introduce the vocabulary for the unit by handing out the “Identity Theft Vocabulary” worksheet.
3. Teachers may assign students to read the graphic novel and respond to the questions on the “What’s the issue?” sheet.
4. Teachers may engage students in a class discussion of the issues in the text using two suggested “Discussion Questions” worksheets.
5. Teachers may role play an extended trial representing the various stakeholders in this issue.
6. Teachers may arrange time and facilities to have students engage in extended research into the current state of the issue. If you do not have time for student research, then there is a sheet summarizing some recent legislation with questions (in chart form) that you can use.
7. Teachers can use one of the sample lesson plans provided.

Identity Theft

Double Down Introductory Worksheet

Directions:

- ❖ In small groups discuss and decide if each statement about identity theft is true or false and CIRCLE the appropriate T or F.
- ❖ If your group is sure about your answer and would like to double your points, place a LINE under the circled T or F.
- ❖ Correct answers are worth 5 points, while incorrect answers are -5 points.
- ❖ Doubled down answers are worth 10 points or -10 points.
- ❖ A maximum score is 200! Enjoy!

Name _____ Score _____/200 Points

1. 5% of the U.S. population was victimized by identity theft in 2007. T F
2. By 2025, the world will have a checkless society. T F
3. The 2008 approximate cost of processing a check is \$3.00. T F
4. Technology lowers billing costs per transaction to less than 1 cent. T F
5. Electronic banking reduces paper, employee, and mailing costs. T F
6. You have up to 1 year to notify your bank of an account error. T F
7. Institutions have up to 90 days to investigate account errors. T F
8. Your loss limit is the same for stolen debit and stolen credit cards. T F
9. With debit cards, fraudulent charges remain on your account until an investigation is complete. T F
10. You are liable for a new account created in your name without your permission. T F
11. You can be required to pay your bills by EFT (electronic fund transfer). T F
12. Businesses do NOT have to follow State EFT laws that are stronger than Federal EFT laws. T F
13. Dumpster diving, skimming, and phishing are ways in which your identity may be stolen. T F

Please turn the page over and continue

- | | | | |
|-----|--|---|---|
| 14. | The best way to keep your identity from being stolen is to use your credit / debit cards rarely. | T | F |
| 15. | You must contact all three national credit reporting agencies when your identity is stolen. | T | F |
| 16. | You are entitled to 1 free credit rating report per year per provider. | T | F |
| 17. | An extended fraud alert lasts until you remove it. | T | F |
| 18. | Checks can be washed. | T | F |
| 19. | Roughly one million peer-to-peer file sharing activities every day ask for credit cards, tax returns, and banking records. | T | F |
| 20. | 1 in 10 identity thefts go unnoticed for over two years. | T | F |

*basic format idea taken from the Virginia Commonwealth University's "Stock Market Game"

Identity Theft Double Down Introductory Worksheet -- Key

Directions: In small groups discuss and decide if each statement about identity theft is true or false and CIRCLE the appropriate T or F. If your group is sure about your answer and would like to double your points, place a LINE under the circled T or F. Correct answers are worth 5 points while incorrect answers are -5 points. Doubled down answers are worth 10 points or minus 10 points. A maximum score is 200! Enjoy!

1. 5% of the U.S. population was victimized by identity theft in 2007. **F** (3%)
2. By 2025, the world will have a checkless society. **F** (useful in some capacity)
3. The 2008 approximate cost of processing a check is \$3.00. **T**
4. Technology lowers billing costs per transaction to less than 1 cent. **F** \$1.50 (2008)
5. Electronic banking reduces paper, employee, and mailing costs. **T**
6. You have up to 1 year to notify your bank of an account error. **F** (60 days)
7. Financial institutions have up to 90 days to investigate account errors. **T**
8. Your loss limit is the same for stolen debit and stolen credit cards. **F**
(Consumer credit card loss is capped by the Electronic Fund Transfer (EFT) Act at \$50, but liability for debit cards varies (\$50 limit if bank notified within two business days of learning about the theft, \$500 limit within 60 days of bank statement being mailed to you, unlimited loss after 60 days.)
9. With debit cards, fraudulent charges remain on your account until an investigation is complete. **T**
10. You are liable for a new account created in your name without your permission. **F**
11. You can be required to pay your bills by electronic fund transfer (EFT). **F**
(salaries can be required to be EFT, but not bill payments – EFT Act)
12. Businesses do NOT have to follow State EFT laws that are stronger than Federal EFT laws. **F**
(Section 919 of the EFT Act allows the greatest protections provided by law)

13. Dumpster diving, skimming, and phishing are ways in which your identity may be stolen. **T** (sorting through trash for bills, copying card numbers while processing a card, and pretending to be legitimate organizations on the internet are all methods used in identity theft)
14. The best way to keep your identity from being stolen is to seldom use your credit / debit cards. **F** (best way is to regularly monitor your accounts)
15. You must contact all three national credit reporting agencies when your identity is stolen. **F** (by law, the one you contact must inform the other two)
16. You are entitled to one free credit rating report per year per provider. **T**
17. An extended fraud alert lasts until you remove it. **F** (7 years)
18. Checks can be washed. **T** (process of chemically removing handwritten parts of a check and replacing them with other information)
19. Roughly one million peer-to-peer file sharing activities every day ask for credit cards, tax returns, and banking records. **T**
20. 1 in 10 identity thefts go unnoticed for over two years. **T**

Identity Theft Vocabulary

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|--|--|
| 1. ____ Automated Teller Machine | A. Process your written-agreement-to-pay covers between the receiving store and the bank that holds the account |
| 2. ____ Check Clearing System | B. Use of a fictitious person for individual gain |
| 3. ____ Chemical Voids | C. Account holder orally orders a movement of money between accounts or to a merchant |
| 4. ____ Copy Void Pantographs | D. Using false pretenses to get someone's personal information from legitimate institutions |
| 5. ____ Debit | E. Looking as someone puts in a P.I.N. or listening in on a cell phone conversation for the purpose of gathering financial information |
| 6. ____ Dumpster Diving | F. Sales agreement that immediately withdraws the payment money from an account |
| 7. ____ Electronic Fund Transfer | G. Looking through store trash for personal information |
| 8. ____ Electronic Funds Transfer Act (1978) | H. Used after you have contacted the credit reporting companies (lasts for seven years) |
| 9. ____ Extended Fraud Alert | I. Individual code used on a key pad that grants access to a bank account |
| 10. ____ Identity Fraud | J. Word appears on the check when it is photocopied |
| 11. ____ Identity Theft | K. Banking institution corrects an error in your account |
| 12. ____ Initial Fraud Alert | L. Attempt to stop "washing" of checks by having words disappear from the check |
| 13. ____ Personal Identification Number | M. Payment system that uses technology rather than cash or checks |
| 14. ____ Phishing | N. Account holder allows direct deposits or withdrawals from an account |
| 15. ____ Point of Sale Transactions | O. Electronic equipment that allows withdrawals or deposits of money without employee assistance. |
| 16. ____ Preauthorized Transfer | P. Used when you believe your wallet has been stolen or you have been taken by a phishing scam; it lasts for 90 days |
| 17. ____ Pretexting | Q. All types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves deception |
| 18. ____ Recredit | R. Debit / EFT / Check cards that allow the transfer of funds from the consumer to the merchant |
| 19. ____ Security Inks | S. Established the rights and responsibilities of all participants in the noncash / noncheck banking process |
| 20. ____ Shoulder Surfing | T. Process of chemically removing handwritten parts of a check |
| 21. ____ Skimming | U. Pretending to be a legitimate institution on the internet for the purpose of gaining access to your personal information |
| 22. ____ Synthetic Identity Fraud | V. Attempt to stop "washing" of checks by having words appear on the check |
| 23. ____ Telephone Transfer | W. Illegal use of another person's personal information |
| 24. ____ Washing | X. Subtle designs on checks that can't be photocopied or scanned |
| 25. ____ Watermarks | Y. Copying credit card numbers during a purchase |

Identity Theft Vocabulary – Key

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|--|--|
| 1. _O_ Automated Teller Machine | A. Process your written-agreement-to-pay covers between the receiving store and the bank that holds the account |
| 2. _A_ Check Clearing System | B. Use of a fictitious person for individual gain |
| 3. _V_ Chemical Voids | C. Account holder orally orders a movement of money between accounts or to a merchant |
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| 17. _D_ Pretexting | Q. All types of crime in which someone wrongfully obtains and uses another person’s personal data in some way that involves deception |
| 18. _K_ Recredit | R. Debit / EFT / Check cards that allow the transfer of funds from the consumer to the merchant |
| 19. _L_ Security Inks | S. Established the rights and responsibilities of all participants in the noncash / noncheck banking process |
| 20. _E_ Shoulder Surfing | T. Process of chemically removing handwritten parts of a check |
| 21. _Y_ Skimming | U. Pretending to be a legitimate institution on the internet for the purpose of gaining access to your personal information |
| 22. _B_ Synthetic Identity Fraud | V. Attempt to stop “washing” of checks by having words appear on the check |
| 23. _C_ Telephone Transfer | W. Illegal use of another person’s personal information |
| 24. _T_ Washing | X. Subtle designs on checks that can’t be photocopied or scanned |
| 25. _X_ Watermarks | Y. Copying credit card numbers during a purchase |

What's the Issue?

1. What is Jason Harlan accused of doing that is illegal? How does he commit his crime? How does he obtain Maria's information?
2. Why is the state, not Maria Garcia, prosecuting and taking Jason to court?
3. Why does the prosecution use nationwide statistics about online fraud in its opening comments when, as the defense states, "those numbers have nothing to do with Mr. Harlan?"
4. Why does the judge grant a search warrant? Why does he need to do so, and how is he legally able to do it? What is probable cause, and why is this aspect of the case important?
5. What evidence does the state have against Mr. Harlan? What are the strengths of this evidence? How might this evidence be problematic in a court of law?
6. Why do the Garcias testify in court even though they never met, interacted with or saw the defendant, Mr. Harlan?
7. Why was Jason Harlan easily a suspect? Could the perpetrator of the crime have been someone who did not work with computers as a profession?
8. Why does the defense lawyer stress that Mrs. Garcia was not coerced? What is he trying to do?
9. Why does Maria Garcia appear in court again one week later? Why are there two separate court appearances in this case?
10. If one goal of the court system is to make all citizens want to follow the law, then was the ruling in this case successful in achieving that goal? Why or why not?
11. If another goal of the court system is to protect American citizens, then was the ruling in this case successful in achieving that goal? Why or why not?

What's the Issue? - - Key

1. What is Jason Harlan accused of doing that is illegal? How does he commit his crime? How does he obtain Maria's information?

Stealing another person's bank account information and money from that account. He commits the crime by impersonating her bank and requesting information.

2. Why is the state, not Maria Garcia, prosecuting and taking Jason to court?

In a republic, it is the individual state's right to decide to prosecute. The state can decline to prosecute even though an individual might disagree. In addition, Maria is just one of multiple individuals who were affected, so the state brought charges on behalf of the entire group of 14 individuals.

3. Why does the prosecution use nationwide statistics about online fraud in its opening comments when, as the defense states, "those numbers have nothing to do with Mr. Harlan?"

Trying to give the jury a sense of the large scope of the offense in order to keep the offense from being minimized.

4. Why does the judge grant a search warrant? Why does he need to do so, and how is he legally able to do it? What is probable cause, and why is this aspect of the case important?

Individuals in a democratic republic have rights that may not be violated without a judge's permission. The prosecution must prove to the judge that there is sufficient cause / evidence for an individual's privacy to be violated. The judge is legally able to do so to ensure obedience to the law. Probable cause is sufficient evidence to suggest that a crime is being committed. This method gives the police permission to invade an individual's privacy to determine if a violation of the law has occurred.

5. What evidence does the state have against Mr. Harlan? What are the strengths of this evidence? How might this evidence be problematic in a court of law?

Three computer hard drives, storage media, a fraud alert from the F.T.C. on Maria's credit, and the electronic signature on his email. Mr. Harlan did not deny in court that the items in question were his. The evidence is problematic because the story does not determine if others had access to the equipment. There is no fingerprint or DNA evidence that attaches the crime to a specific individual.

6. Why do the Garcias testify in court even though they never met, interacted with or saw the defendant, Mr. Harlan?

They are witnesses to a crime that was committed against them.

7. Why was Jason Harlan easily a suspect? Could the perpetrator of the crime have been someone who did not work with computers as a profession?

He fits the profile of someone who could perpetrate this crime. With increasing access to technology, anyone could commit this crime, thus making the stereotype less useful to the authorities.

8. Why does the defense lawyer stress that Mrs. Garcia was not coerced? What is he trying to do?

Financial information may be freely given. He is trying to place a majority of the blame on her for the loss of her identity. Juries are required to find a defendant guilty only if the evidence is beyond reasonable doubt.

9. Why does Maria Garcia appear in court again one week later? Why are there two separate court appearances in this case?

There are two major phases to court trials. The trial is followed by the sentencing phase. Should the defendant be found not guilty, there is no second phase of the trial.

10. If one goal of the court system is to make all citizens want to follow the law, then was the ruling in this case successful in achieving that goal? Why or why not?

Opinions will vary.

11. If another goal of the court system is to protect American citizens, then was the ruling in this case successful in achieving that goal? Why or why not?

Opinions will vary.

Suggested Discussion Questions

1. Given the electronic nature of identity theft whereby there are not tangible fingerprints or DNA, how can courts prove that the electronic files belong to a particular person and that it is not a case of someone else using that person's computer? How do identity theft crimes complicate the work of law enforcement and the courts?

2. Maria's mom thinks that she is safer staying with "old-fashioned" checkbooks. Do non-electronic means of payment necessarily make you safe from identity theft? Why or why not?

3. Even though they get their money back, Maria is still worried about their credit. Why is important to have good credit? Maria says, "Some people think that cyber-crime isn't as bad as being robbed at gunpoint or having your home invaded and robbed. I'm here to say that they are wrong." Do you agree or disagree with her statement? Why?

4. Maria's mother says that she doesn't trust websites; Maria starts out completely trusting them, but later wants to stay away from them. Based on this graphic novel, what is the best approach or attitude to have towards websites and your personal information?

5. The graphic novel states, "There are certain things we take for granted in our society, and one of those is the safety of our private information when it comes to finances." Are there things that we can take for granted in our society? How do we function in the modern world without letting paranoia of being a victim overwhelm us?

6. Why is identity theft so difficult to stop? The *Los Angeles Times* reported on August 12, 2008 that street gangs were increasingly getting involved in identity theft from bribing insiders for information to installing false keypads on ATMs to obtain passwords, all of which resulted in a 31% increase in identity theft complaints in the previous year.

Why is identity theft such a growing trend? (Identity theft is hard to trace and does not require face-to-face contact between perpetrator and victim, and it promises tremendous payback to perpetrators)

What do these facts mean for our future?

("Gangs get into identity theft" *The Los Angeles Times*

<http://www.latimes.com/business/la-fi-idtheft12-2008aug12,0,1549784.story> accessed August 18, 2008)

Suggested Discussion Questions: How do Law Enforcement Agencies and the Courts Protect Citizens Against Identity Theft?

The Internet has given rise to new issues and situations that courts had not previously had to address. Courts must base their decisions on existing law. Consider the following predicaments that identity theft presents to courts, legislatures, and law enforcement.

1. Jason Harlan was traced by his email, but the bank manager says that people can get your information by stealing mail out of people's mailboxes or by dumpster diving. How would the police be able to track and find these people?

2. In August 2008 the largest case of identity theft in U.S. history was cracked. In this case 11 people from five countries were charged with stealing over 40 million credit and debit card account numbers from computer systems of businesses such as TJ Maxx, Barnes and Noble, OfficeMax, Sports Authority, BJ's Wholesale Club, Boston Market, Forever 21, and Marshalls. The accused would visit stores with a laptop, get into wireless connections and intercept credit card numbers as purchases were made. They then would sell these account numbers as well as cards encoded and marked with the account numbers, or use the accounts themselves to purchase things. The Justice Department estimates that this case may have involved at least tens of millions of dollars.

A. Identity theft is not confined within the boundaries of one country. In this case, the suspects were citizens of the U.S., China, Estonia, Ukraine and Belarus, and were arrested in places such as Turkey and Germany. In addition, some of the fake websites that identity thieves use could be located anywhere in the world. How do such widespread locations complicate the work of law enforcement in capturing and arresting perpetrators of identity theft? What has to be done in order to catch and try these suspects? How do these details complicate the workings of the courts? Can laws passed by the U.S. Congress completely protect you against identity theft? What problems does this global scope pose for stopping identity theft? How do we address these problems?

B. The suspects in this case had a website advertising "Only on our site can you get every detail of any US citizen including SSN number." People intentionally bought these cards and account numbers, and the US authorities made a break in the case when people were caught trying to use the cards in a Wal-Mart in Florida. What should be the consequences for these people who didn't do the stealing of the accounts, but used them? How do law enforcement agencies track down those individuals who bought and/or used the information? Should law enforcement agencies attempt to track down all those who bought account numbers? Why or why not?

C. Several of the businesses involved sent letters to affected customers when possible, or posted customer alerts on their websites and in their stores, but others did not

know they had been compromised until a couple of days before the case broke and could not warn their customers; for one business, 1.4 million credit cards and 96,000 checks were compromised. Do you believe that these methods of notification are enough? What may prevent stores from being able to notify all customers affected by identity theft? How might identity theft of this sort affect consumers, and how does it affect businesses? What other potential consequences might there be beyond the loss of money? What can stores or what should stores do to protect their customers? How much of the responsibility should fall to the stores, and how much can we expect them to protect us? TJ Maxx has had to set aside more than \$100 million to address this issue; how does that fact affect your views on the issue? What might be the cost of increased security measures in each of their stores?

D. In the *Los Angeles Times* of August 6, 2008, Lance James of the identity theft tracking company Secure Science Corporation is quoted as saying, "Credit cards are constantly being stolen in different ways. There will be more surprises to come." How do law enforcement agencies and the courts prepare for these new developments? What can these agencies and institutions do to protect the average citizen adequately from unknown developments? What types of actions should they engage in toward reaching such ends?

All information taken from Menn, Joseph & Chang, Andrea. "11 Charged in largest ID theft in US History" *Los Angeles Times* (6 August 2008)
<http://www.latimes.com/technology/la-fi-hack6-2008aug06,0,2453636,full.story> and Soto, Onell R. "S.D. Agents help bust massive ID-theft ring" *The San Diego Union-Tribune* (6 August 2008)

U.S. Bills Concerning Identity Theft

In the graphic novel, the Garcia family hopes that the Electronic Fund Transfer Act will help them get their money back. This existing law states:

"Electronic Fund Transfer Act"

§ 902. Findings and purpose

(a) The Congress finds that the use of electronic systems to transfer funds provides the potential for substantial benefits to consumers. However, due to the unique characteristics of such systems, the application of existing consumer protection legislation is unclear, leaving the rights and liabilities of consumers, financial institutions, and intermediaries in electronic fund transfers undefined.

(b) It is the purpose of this title to provide a basic framework establishing the rights, liabilities, and responsibilities of participants in electronic fund transfer systems. The primary objective of this title, however, is the provision of individual consumer rights.

§ 909. Consumer liability for unauthorized transfers

On lost or stolen credit cards, your loss is limited to \$50 per card (see Lost or Stolen Credit Cards). On an EFT card, your liability for an unauthorized withdrawal can vary:

- Your loss is limited to \$50 if you notify the financial institution within two business days after learning of loss or theft of your card or code.
- But you could lose as much as \$500 if you do not tell the card issuer within two business days after learning of loss or theft.
- If you do not report an unauthorized transfer that appears on your statement within 60 days after the statement is mailed to you, you risk unlimited loss on transfers made after the 60-day period. That means you could lose all the money in your account plus your maximum overdraft line of credit, if any.

<http://www.federalreserve.gov/pubs/consumerhdbk/electronic.htm#loss> &
<http://www.fdic.gov/regulations/laws/rules/6500-1350.html>

1. What is good about this law? Who does it protect? What is Congress' goal in this act?
2. What is problematic about this law?
3. Do you think that it is a reasonable way to address the issue of identity theft in credit cards? Why or why not?
4. The opening section states "the application of existing consumer protection legislation is unclear, leaving the rights and liabilities of consumers, financial

institutions and intermediaries in electronic fund transfers undefined.” Why does Congress specify this clause? Does this act solve that issue? What is left unresolved?

There are currently bills before Congress that will further define identity theft laws. Read the following excerpts or summaries of the laws being debated or examined in committees.

HR 220: Identity Theft Prevention Act of 2007

Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act and the Internal Revenue Code to prohibit using a Social Security account number except for specified Social Security and tax purposes. Prohibits the Social Security Administration from divulging the Social Security account number of an individual to any federal, state, or local government agency or instrumentality, or to any other individual.

Amends the Privacy Act of 1974 to prohibit any federal, state, or local government agency or instrumentality from requesting an individual to disclose his Social Security account number on either a mandatory or a voluntary basis.

Prohibits any two federal agencies or instrumentalities from implementing the same identifying number with respect to any individual (except as authorized by the Social Security Act).

Prohibits any federal agency from: (1) establishing or mandating a uniform standard for identification of an individual that is required to be used by any other federal or state agency, or by a private person, for any purpose other than that of conducting the authorized activities of the standard-establishing or -mandating federal agency; or (2) conditioning receipt of any federal grant, contract, or other federal funding on the adoption, by a state or local government, or by a state agency, of such a uniform standard.

http://www.washingtonwatch.com/bills/show/110_HR_220.html#toc0

SN 2168: Identity Theft Enforcement and Restitution Act of 2007

Amends the federal criminal code to: (1) authorize criminal restitution orders in identity theft cases to compensate victims for the time spent to remediate the intended or actual harm incurred; (2) expand identity theft and aggravated identity theft crimes to include offenses against organizations (currently, only natural persons are protected); (3) include conspiracy to commit a felony with the definition of ‘felony violation’; for purposes of aggravated identity theft crimes; (4) include making, uttering, or possessing counterfeit securities, mail theft, and tax fraud as predicate offenses for aggravated identity theft; (5) enable prosecution of computer fraud offenses for conduct not involving an interstate or foreign communication; (6) eliminate the requirement that damage to a victim's computer aggregate at least \$5,000 before a prosecution can be brought for unauthorized access to a

computer; (7) make it a felony, during any one-year period, to damage 10 or more protected computers used by or for the federal government or a financial institution; (8) expand the definition of 'cyber-extortion'; to include a demand for money in relation to damage to a protected computer, where such damage was caused to facilitate the extortion; (9) prohibit conspiracies to commit computer fraud; (10) expand interstate and foreign jurisdiction for prosecution of computer fraud offenses; and (11) impose criminal and civil forfeitures of property used to commit computer fraud offenses.

Directs the U.S. Sentencing Commission to review its guidelines and policy statements for the sentencing of persons convicted of identity theft, computer fraud, illegal wiretapping, and unlawful access to stored information to reflect increased penalties for such offenses. Sets forth criteria for updating such guidelines and policy statements.
http://www.washingtonwatch.com/bills/show/110_SN_2168.html

H. R. 5405 Social Security Identity Theft Prevention Act

To protect seniors from identity theft and strengthen our national security by providing for the issuance of a secure Social Security card.

A social security card shall—

- be made of tamperproof and wear-resistant material;
- have clearly marked on its face the name and social security account number of the individual to whom the card is issued;
- in the case of a card issued to an individual after attaining age 16, display a digital image, captured directly by an officer or employee of the Social Security Administration acting in his or her official capacity, of the person to whom the social security account number was issued and the date on which that image was captured; and
- contain an encrypted, machine-readable electronic record which shall include records of biometric identifiers unique to the individual to whom the card is issued, including a copy of any digitized facial image printed on the face of the card pursuant to subclause (III).

<http://thomas.loc.gov/cgi-bin/query/D?c110:3:./temp/~c110it5Nbb::>

SN. 1178 Identity Theft Prevention Act

SEC. 2. PROTECTION OF SENSITIVE PERSONAL INFORMATION.

(a) **IN GENERAL-** A commercial or nonprofit business shall develop, implement, maintain, and enforce a written program for the security of sensitive personal information

- (1) to ensure the security and confidentiality of such data;
- (2) to protect against any anticipated threats or hazards to the security or integrity of such data; and
- (3) to protect against unauthorized access to, or use of, such data that could result in substantial harm to any individual.

SEC. 3. NOTIFICATION OF SECURITY BREACH RISK.

(a) **Security Breaches Affecting 1,000 or More Individuals-**

(1) **IN GENERAL-** If a covered entity discovers a breach of security that affects 1,000 or more individuals, then, within 5 business days after the discovery of the breach of security, it shall report the breach to the Commission and notify all consumer reporting agencies described in the Fair Credit Reporting Act of the breach.

(2) **FTC WEBSITE PUBLICATION-** Whenever the Commission receives a report, after the notification has begun, it shall post a report of the breach of security on its website without disclosing any sensitive personal information pertaining to the individuals affected (including their names).

SEC. 11. SOCIAL SECURITY NUMBER PROTECTION.

(a) **Prohibition of Unnecessary Solicitation of Social Security Numbers-**

(1) **IN GENERAL-** Unless there is a specific use of a social security account number for which no other identifier reasonably can be used, a business may not solicit a social security account number from an individual except for the following purposes:

(b) **Prohibition of the Display of Social Security Numbers on Employee Identification Cards, Etc-**

(1) **IN GENERAL-** A business may not display an individual's security account number (or any derivative of such number) on any card or tag that is commonly provided to employees (or to their family members), faculty, staff, or students for purposes of identification.

(2) **DRIVER'S LICENSES-** A State may not display the social security account number of an individual on driver's licenses issued by that State.

(d) **Prohibition of Sale and Display of Social Security Numbers to the General Public-**

(1) **IN GENERAL** it shall be unlawful for any person--

(A) to sell, purchase, or provide a social security account number, to the general public or display to the general public social security account numbers; or

(B) to obtain or use any individual's social security account number for the purpose of locating or identifying such individual

with the intent to physically injure or harm such individual or using the identity of such individual for any illegal purpose.

SEC. 12. PROTECTION OF INFORMATION AT FEDERAL AGENCIES.

(a) DATA SECURITY STANDARDS- Each agency shall develop, implement, maintain, and enforce a written program for the security of sensitive personal information the agency collects, maintains, sells, transfers, or disposes of, containing administrative, technical and physical safeguards--

(1) to insure the security and confidentiality of such data;

(2) to protect against any anticipated threats or hazards to the security of such data; and

(3) to protect against unauthorized access to, or use of, such data that could result in substantial harm to any individual misuse of such information, which could result in substantial harm or inconvenience to a consumer.

(b) SECURITY BREACH NOTIFICATION STANDARDS- Each agency shall use due diligence to investigate any suspected breach of security affecting sensitive personal information maintained by the agency.

<http://thomas.loc.gov/cgi-bin/query/D?c110:2:./temp/~c110A5C2fN::>

Strengths and Weaknesses of Current Identity Theft Bills

Bill	Strengths	Weaknesses/Problems
HR 220 Identity Theft Prevention Act of 2007		
SN 2168 Identity Theft Enforcement and Restitution Act of 2007		
HR 5405 Social Security Identity Theft Prevention Act		
SN 1178 Identity Theft Prevention Act		

How do these bills attempt to help give courts and law enforcement agencies the ability to fight identity theft and protect victims?

Do you think that any of these bills will be effective in addressing the issue of identity theft? Which ones? Why?

What might you change about these bills or add to these bills to make them more effective? Why?

Extended Research and Assessment Ideas

Have students type “identity theft” into the search engine of a major news source, such as CNN, BBC, a major newspaper or other source, then view the articles that appear. Tell students to identify the different types and methods of identity theft crimes being reported and what the perpetrators are doing with the information that they obtain.

Have students respond to these questions: What is your reaction to these articles? What are the different methods of committing identity theft? What are the different ways in which stolen identities are used? Why does this diversity make it difficult to stop and prevent identity theft?

Have students research current and developing federal and state legislation concerning identity theft. Current bills before Congress can be found at *thomas.loc.gov*. Why do different states have different laws? What seems to be the major focus of these laws? How do the laws address the types of cases about which you read? What types of protection or prevention measures are still lacking?

Have students develop and propose a bill/legislation or amend and strengthen an existing bill to make it more effective in protecting people from identity theft or deterring criminals from engaging in identity theft.

Have students write a letter to their congressperson, urging him or her to support one of the identity theft bills currently before Congress. The student’s letter should explain the importance of the issue, how the bill will help address it, and why the congressperson should support the bill.

Using the following pages of guidelines from the Federal Trade Commission about protecting yourself from identity theft, have students make public service announcements in the form of posters, skits, videos, etc. in order to educate their peers and community about identity theft, who it hurts, the consequences of it, and how to protect one’s self from becoming a victim.

Essays

Option 1: Given the increasingly easy access to personal information, how may the judicial and legislative branches work together to enable the courts to protect the rights of all U.S. citizens effectively?

Option 2: Explain the advantages and disadvantages of Internet banking and credit/debit cards.

Option 3: Given the electronic nature of identity theft, how might courts prove, beyond a shadow of a doubt, who is responsible in a case of identity theft?

Role-play

1. Discuss with students that there is little shown of the witnesses in the graphic novel. Who might be witnesses? Brainstorm with students a list of possible stakeholders, different people or groups who might have some vested interest in the outcome of this case. (The Garcias, other people whose identities were stolen, computer programmers, businesses/stores, banks, proponents of privacy rights, others)
 - a. Assign students to small groups so that there is one group for each of the stakeholders, one group to be the prosecutor, and one group to be the defendant.
 - b. Have the small groups determine the point of view of their stakeholder group—do they feel that Jason should be found guilty and punished for the crime, and why? Encourage them to express their respective arguments based on how they are in the interest of the greater good and/or fair to all people, plus prove his guilt beyond a shadow of a doubt or make his guilt questionable so as to get a “not guilty” verdict.
 - c. The prosecution and defense groups should formulate questions for the stakeholders based on their respective objectives in the case.
 - d. Role-play a calling of witnesses in class. Call each stakeholder group to the stand and allow the prosecution to question each witness and then the defense.
 - e. Reevaluate: Have the students be the jury (or have another class observe the proceedings and act as jury) and pass down a verdict about Jason’s innocence or guilt in this case. Give justification for their opinion.

All the information below is taken from Federal Trade Commission's ID Theft website
<http://www.ftc.gov/bcp/edu/microsites/idtheft/>

What is done with your stolen identity

1. open new accounts in your name (bank, credit card, utilities, etc.)
2. change the billing address so that you don't see the bills until it's too late
3. run up new charges on your existing account
4. make counterfeit checks or clone your ATM card
5. get your driver's license/ID card replaced with a thief's picture
6. get government benefits or a job with your social security number
7. file taxes as you
8. rent a house or get medical help as you
9. give the police your information when arrested so that you get charged with contempt when the thief does not show up for court.

How you find out your ID has been stolen

1. Bill collection agencies call you about accounts you didn't know existed
2. You apply for a loan (house, car, etc.) and find unknown credit history problems
3. Info is sent to you in the mail about a house, apartment, or job that you never had

What to do when ID theft occurs ...(do #1-6 immediately, #7 afterward)

1. File an Identity Theft Report with the Federal Trade Commission by ...
 - A. Going online to www.ftc.gov and using the online complaint form
 - B. Calling the toll free Identity Theft Hotline, 1-877-ID-THEFT (438-4338)
 - C. TTY 1-866-653-4261
 - D. Writing ... Identity Theft Clearing House
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
2. File an Identity Theft Report with your local police department
 - A. Bring a copy of the FTC ID Theft Complaint Form asking that it be added to the local police report file
 - B. Bring a cover letter explaining the false charges and accounts affected
 - C. Bring supporting documentation, being sure to leave copies with the police; keep your originals
 - D. Ask for a copy of the local police ID Theft report OR sign your complaint and place the number of the police report in the appropriate area
 - E. Make multiple copies of the local police report (including the FTC complaint form) to show to affected businesses

- F. If local police won't file a report, go to the State police or request to file a Miscellaneous Incident Report locally
3. Check your credit reports for false charges with all 3 credit report monitoring companies (using their toll free numbers to place fraud alert)
 - A. Inform ALL 3 major credit monitoring companies using the contact information listed below
 - B. Ask for a free copy of your credit report from each
 - C. Ask that ONLY the last 4 numbers of your social security number appear on the form which they send
 - D. Check the reports CAREFULLY for any false information (false charges, wrong middle initial – ANYTHING) and change the false information by asking for the company's fraud dispute form or by using the sample letter provided on the Federal Trade Commission's website. Send an identity theft report with a cover letter explaining the mistakes, and be sure to mail it to the company's address used for BILLING INQUIRIES, instead of to the one used for payments; send this packet to each of the three agencies (send copies, NOT the originals)
 - E. Send the information by certified mail with a return receipt requested
4. Notify businesses affected immediately by phone and then send a COPY (do NOT send originals – save those for possible court action) of the police report to them with a written request for a copy of the thief's application.
5. Challenge the false charges with the 3 credit monitoring companies (using their toll free number place a fraud alert – the one you call is required by law to contact the other two – if that is not done, then be sure to contact the other two yourself) and the businesses affected
 - A. Equifax 1-800-525-6285 www.equifax.com
P.O. Box 740241
Atlanta, GA 30374-0241
 - B. Experian 1-888-EXPERIAN (397-3742) www.experian.com
P.O. Box 9532
Allen, TX 75013
 - C. TransUnion 1-800-680-7289 www.transunion.com
Fraud Victim Assistance Division
P.O. Box 6790
Fullerton, CA 92834-6790
6. Close the account being falsely used and open a new one. Do NOT use the same old P.I.N. or password. Avoid using information that is easy to guess or find (i.e. the last 4 numbers of your social security number). Once done, ask for a letter from the company stating that you are not liable for the debits and will not be charged any fees. Keep this letter as proof if and when errors reappear.
7. Continue to monitor your accounts regularly (once every three months for a year,

and then once a year thereafter) for illegal usage and stay on the 3 credit reporting agencies to correct the errors (this could take a year or more!)

*you may not need an Identity Theft Report if the business affected doesn't charge you for the items.

Four major reasons to file an Identity Theft Report with the FTC

1. Permanently blocks faulty information from appearing on your credit report
2. Ensures that debts do NOT reappear on your report
3. Prevents a company from continuing to collect debts due to the identity theft
4. Puts an extended fraud alert on your credit report for the next 7 years

2 types of fraud alerts (keep thieves from opening new accounts in your name)

1. Initial fraud alert
 - A. On your credit report for 90 days
 - B. Placed initially when fraud noticed, wallet stolen, or information phished
 - C. Creditors required to "reasonable" policies to verify your identity
 - D. Gets you one free credit report from each of the 3 major credit reporting agencies with (if requested) only the last 4 numbers of your social security number on the report
2. Extended fraud alert
 - A. On your credit report for 7 years
 - B. Begins once you provide the three major credit reporting firms with an Identity Theft Report
 - C. Potential creditors must contact you to open new accounts
 - D. Gets you two free credit reports from each of the 3 major credit reporting agencies within the first year
 - E. Consumer credit agencies must take your name off marketing lists for pre-screened credit offers for five years (unless you request it be kept or put back on)

*ID required to do each (social security number, address, etc.)

Fraud alerts do NOT help with

1. Existing cards / accounts
2. Accounts that do NOT require a credit check (phone, power, bank account, etc.)
3. Identity theft that is happening when you place the alert

The following information is taken from the Identity Theft Resource Center (ITRC) (www.idtheftcenter.org)

Ways to protect your identity from theft

1. Install a firewall on your computers
2. Have anti-spam and anti-virus software on your computers
3. Set your systems on automated update to ensure the latest firewall, etc.
4. Look at the source AND content before opening a file
5. Be wary of pop-ups
6. Watch hidden file extensions by updating anti-virus software
7. Don't let others log onto your game server at your I.P. address
8. Backup your system regularly
9. Turn off your computer when not in use
10. Use common sense – don't keep tax records, financial records, social security numbers, or a list of passwords on your hard-drive.

Suggestions from ITRC

1. Don't carry original cards in your wallet or purse, photocopy them front and back and only bring originals when you know they will be required
2. Lock your originals in a fire-safe box
3. Keep a sheet with emergency contact info, medical history, doctors' contact info, list of prescriptions taken
4. Stop check "washing" by ...
 - A. Using a gel ink pen on your checks so "washing" is difficult (ink seeps into the paper fiber)
 - B. Dropping bill payments off at the post office instead of placing them in your mail box
 - C. Decreasing the number of checks that you write by paying online when possible
 - D. Never leaving blank spaces on the payee or amount lines
 - E. Shredding or locking up cancelled checks
 - F. Reviewing your bank statements immediately since you have 30 days to report fraudulent transactions
 - G. Having new checks delivered to your bank, if possible
 - H. Asking for checks with chemical voids (word "Void" appears when washing attempted), security inks (disappear when exposed to washing), watermarks (subtle design slightly visible), copy void pantographs (the word VOID appears when a check is photocopied), microprinting or high resolution graphics (print so fine copiers can't accurately reproduce it), and fibers (both invisible and visible).
5. File sharing and Peer-to-Peer Software safety
 - A. Use an external hard drive, burned CD/DVD, etc. to store any personal information. Do NOT place tax, medical, or personal information on your computer.

- B. If you must store personal information on your computer, use encrypted Software.
 - C. If possible, have a separate computer just for file sharing.
 - D. Check your security preferences to see if they allow you to only open certain file to file sharing.
6. E-commerce
- A. Make sure that the web site is secure by looking for an unbroken key, a closed padlock, or the letter “s” at the end of http (https://).
 - B. Only buy from businesses that list a phone number and address. Call the number and ask a few questions to ensure that the site is legitimate.
 - C. Learn the website’s privacy and security policies. Be aware that companies can change their policies about sharing your information at any time with a simple notification by mail.
 - D. When paying online, use a credit card instead of a debit card, cash, or check. Only a credit card is fully protected from fraud under the federal Fair Credit Billing Act. Be sure that the credit card does NOT double as a debit card, as all the money in your account may be taken immediately.
 - E. Share as little of your private information when ordering as possible. Do NOT give out your Social Security number.
 - F. Copy the web site address and use a web search engine to prove that the company is legitimate before ordering.
 - G. Print and keep the web pages showing the item that you ordered, the confirmation page, and the confirmation email that your order is being processed.
 - H. Use common sense – “if it’s too good to be true ...”
 - I. Regularly check your credit card statement on line to deter identity theft.
7. Travel tips
- A. Do NOT use checks on trips – keep them at home. Use credit cards, debit cards, cash, or traveler’s checks.
 - B. Avoid using ATM machines not attached to reputable banks. Always cover your P.I.N. when you type it in an ATM to prevent illegal cameras from recording your code.
 - C. Have two separate cards (one for ATM only and one for Credit) to limit liability.
 - D. Do NOT bring bills with you or leave them in a hotel room.
 - E. Lock your valuables (especially laptops, passports, etc.) in the hotel safe. Do NOT leave them in your hotel room while you are out.
 - F. Keep your wallet, cards, etc. in a front-facing fanny pack opened with Velcro. This accessory greatly lowers pick pocketing, which is seldom used for cash, but rather to gain access to account information.
 - G. Do NOT leave any item unattended when in a transportation center.
 - H. Keep all private information out of your wallet and keep a sheet with emergency contact numbers for each card that you own, bank, etc.

- I. Do NOT discuss private, financial matters on a cell phone in public. People within earshot can capture your information.
- J. Keep a back-up copy of all travel information in a separate location from the originals.
- K. Have a trusted neighbor collect your mail daily or place a “postal hold,” which requires the person who picks up your mail to show an ID card with photo and current address.
- L. Stop all automatic deliveries (newspaper, etc.), or have a trusted neighbor pick them up daily.
- M. Use a locked box at home for important papers. 10% of all identity thefts due to home invasion are done by neighbors or relatives who should not have been trusted.
- N. Do not hang your purse on the back of a chair in a restaurant or on a stall door when using the restroom. Both are open invitations for snatch and grab, possibly resulting in identity theft.

The following information is from the Federal Reserve Bank of Boston website
<http://www.bos.frb.org/consumer/topics/idtheft.htm>

1. Stop prescreened credit offers by calling 1-888-5OPTOUT, contacting the Direct Marketing Association, and informing each of the three major credit bureaus (Equifax, Experian, and TransUnion) not to share your personal information for promotional purposes.
2. Identity Theft insurance is NOT necessary since current laws protect against the payment of fraudulent bills.
3. Document ALL your actions when dealing with identity theft.
 - A. Keep copies of all documents and correspondence
 - B. For phone calls, write the date, time, actions taken, and name of the person with whom you spoke
 - C. Send a letter to appropriate authorities, confirming all phone conversations and including the date, time, etc.
 - D. Send all letters and documents "Return Receipt Requested" and keep the postal receipt
4. Use the ID Theft Affidavit form (www.consumer.gov/idtheft) to simplify the process.
5. Contact government authorities
 - A. FTC Identity Theft Hot Line 877-IDTHEFT (438-4338)
 - B. U.S. Postal Inspectors 800-372-8347
(if mail service used in the fraud)

Example Lesson Plan 1: Stakeholders and Trial Role-play

Objectives:

1. To identify the major issues and events in the case
2. To brainstorm possible stakeholders and analyze their perspectives
3. To discuss the prosecution of those committing identity theft.

Activities:

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss students’ answers.
2. Discuss with students that we only saw Maria called to the stand in her case, but we did not see any of the court proceedings. Ask, Who else might be witnesses? Brainstorm with students a list of possible stakeholders—different people or groups who might have some vested interest in the outcome of this case—and list them on the board. (Suggested answers: Maria, computer programmers, businesses, banks, proponents to privacy rights, and other people whose identities have been stolen.)
3. Divide your students into as many small groups as you have stakeholders on the board (or a manageable number) with two additional groups/pairs to be prosecution and defense attorneys. Assign each small group to be one of the stakeholders identified on the board, plus prosecution or defense.
4. Have the small groups determine the point of view of their stakeholder: why do they feel that Jason should be found guilty and punished for this crime, and why? Try to encourage them to express their argument based on how it is in the interest of the greater good and/or fair to all people, plus prove Jason’s guilt beyond a shadow of a doubt or make his guilt doubtful so as to get a “not guilty” verdict. The prosecution and defense groups should formulate questions to ask the various stakeholders in order to make their respective cases.
5. Role-play a calling of witnesses in class, extending Maria’s case. Call each stakeholder group to the witness stand, then have the prosecution question them and the defense cross-examine.
6. Based on their role-play, have students now be the jury (or have another class observe the proceedings and act as jury) and pass down a verdict about Jason’s innocence or guilt in this case.
7. To wrap up, have students write a response to this prompt: Given the electronic nature of identity theft, how might courts prove, beyond a shadow of a doubt, who is responsible in a case of identity theft?

Example Lesson Plan 2: Legislation Concerning Identity Theft

Objectives:

1. To identify the major issues and events in the case
2. To evaluate current US Legislation concerning identity theft
3. To develop legislation to help prevent identity theft

Activities:

1. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss student answers.
2. Have a class discussion about the questions on the “How do Law Enforcement Agencies and the Courts Protect Citizens Against Identity Theft?” sheet.
3. Have students read the summaries of the bills before the 110th Congress concerning identity theft and evaluate the strengths and weaknesses of these bills, based on both the issues raised in the graphic novel and recent events.
4. Have students develop and propose a bill/legislation or amend and strengthen an existing bill to make it more effective in protecting people from identity theft or deterring criminals from engaging in identity theft. OR Have students write a letter to their congressperson urging him or her to support one of the identity theft bills currently before Congress. The student’s letter should explain the importance of the issue, how the bill will help address it, and why the congressperson should support the bill.

Example Lesson Plan 3: Identity Theft

Objectives:

1. To identify the major issues and events in the case
2. To analyze other issues of identity theft
3. To create a public service announcement to educate people about the legal issues related to identity theft

Activities:

1. To get students thinking about the issue of identity theft, have them respond to the “Double Down” sheet. Go over and discuss students’ responses.
2. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss students’ answers.
3. Give students the “Scenario sheet.” Have students read the scenarios and develop responses. Discuss each scenario with students. Ask students if they are surprised by this information. Why or why not? Why weren’t the answer to these questions obvious? Why are people so ill- or misinformed about these issues?
4. Break students into small groups and assign each one a scenario. Have them develop a public service announcement for the issue described in their respective scenarios and educate their peers about the rights of victims of identity theft and its effects on the victims of the crime, as well as how to protect yourself from becoming a victim. Students could use the FTC fact sheet for help on these issues. Share these conclusions with the class.

Example Lesson Plan 4: How to Protect Against Identity Theft

Objectives:

1. To identify the major issues and events in the case
2. To identify the means of protecting against identity theft
3. To create a public service announcement to educate people about the legal issues related to identity theft

Activities:

1. To get students thinking about the issue of identity theft, have them respond to the “Double Down” sheet. Go over and discuss students’ responses.
2. Give students a copy of the graphic novel and a “What’s the Issue?” sheet. Have students read the novel and complete the sheet. Discuss students’ answers.
3. Give students the “Federal Trade Commission (FTC) Fact Sheet.” Have students read and list the major steps that people should take to protect themselves from being victims of identity theft. Which of these steps are fairly simple to take? Which are more difficult? Which seem to be the most effective means of protecting one’s self? Which would they be most likely to do? Which would they be least likely to do, and why?
4. Break students into small groups and have them develop public service announcements in the form of posters, skits, videos, etc. that would educate their peers and community about identity theft, who it hurts, the consequences of it and how to protect one’s self from becoming a victim. Students could use the FTC fact sheet for help on these messages. Share these announcements with the class.

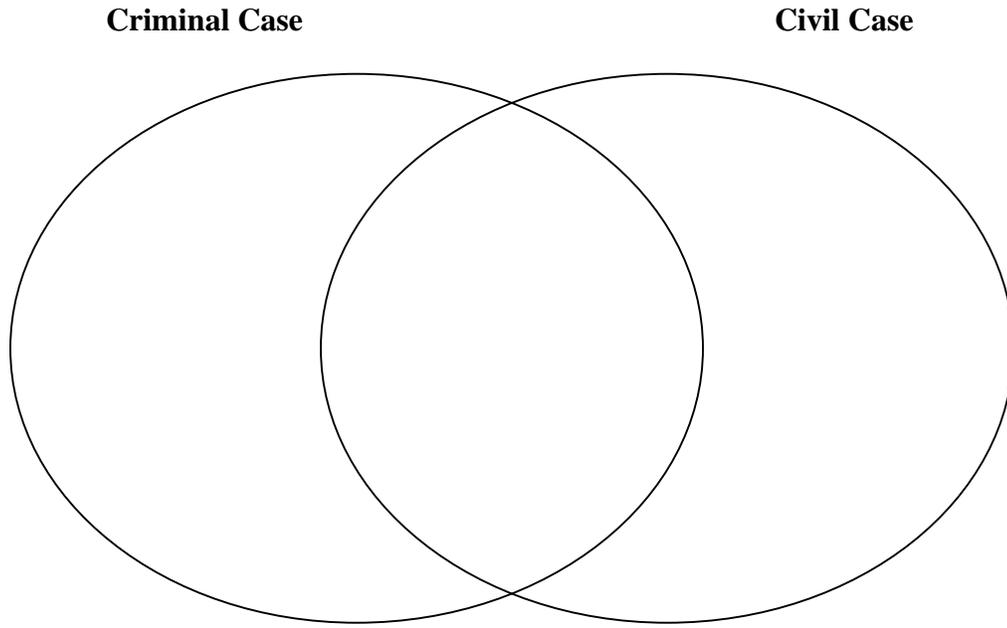
How a Court Works -- Teacher Materials

Suggested Uses:

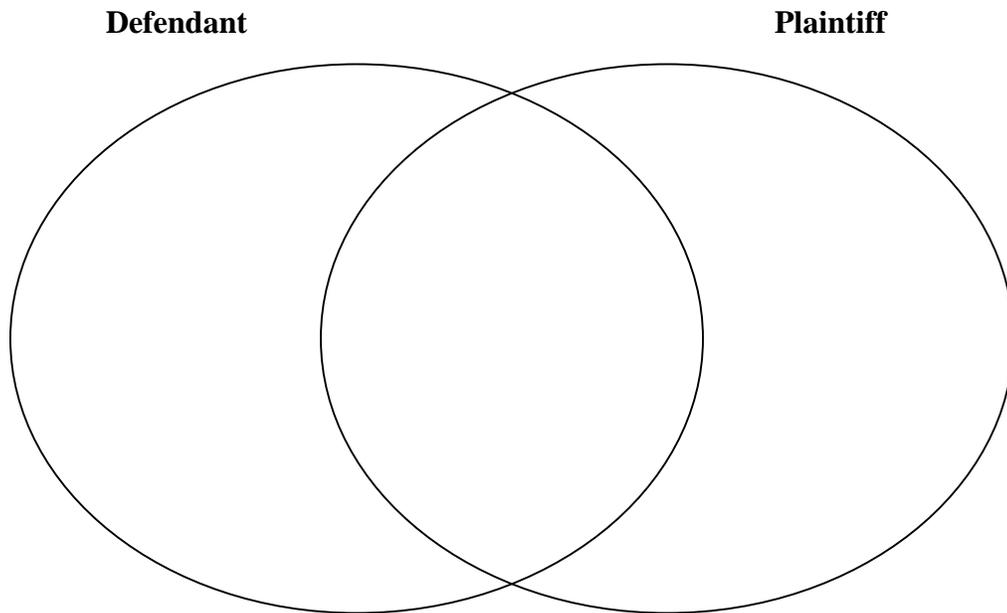
1. Teachers may assign students to read the graphic novel and respond to the questions on the “Your Day in Court” sheet.
2. Teachers may check for students’ understanding of court terminology using the crosswords or matching exercise.
3. Teachers may do a more in-depth activity having students compare the two cases in the graphic novel using the “Understanding Differences in the Courtroom” sheet.
4. Teachers may arrange time and facilities to have students engage in the extension activity.

Understanding Differences in the Courtroom

1. What is a civil case?
2. What is a criminal case?
3. Fill in the Venn diagram with similarities and differences between criminal and civil cases.



4. What is a plaintiff?
5. What is a defendant?
6. Compare and contrast the two.



Courtroom Vocabulary

1. ____ Appeal
A. The judge, following an objection, decides that questions may continue
2. ____ Arraignment
B. To start legal action against someone in a court
3. ____ Brief
C. The party which initiates a lawsuit against the defendant, demanding a legal remedy, such as damages
4. ____ Complaint
D. How a lawyer asks a judge to make a decision
5. ____ Cross-examination
E. A lesser crime punishable by a fine and/or limited jail time
6. ____ Defendant
F. Common term for a legal action by one person or entity against another person or entity to be decided in a civil trial
7. ____ Direct-examination
G. A trial that becomes invalid, and is essentially canceled, because of a mistake in procedure
8. ____ Discovery
H. A request for a higher court to review a decision made by a lower court
9. ____ Grand Jury
I. The delivering of the punishment to be given to a person who has been convicted of a crime
10. ____ Impanel a jury
J. The opposing side finds fault with the question being asked the witness
11. ____ Indictment
K. The formal decision or finding of a judge or jury
12. ____ Jurisdiction
L. When the accused is brought before the court to hear the charges against him or her. He or she pleads guilty or not guilty at this time
13. ____ Litigants
M. An agreement between the defendant and the prosecution for the defendant to plead guilty or no contest in return for a reduced sentence
14. ____ Litigation
N. The act of selecting a jury from a list of potential jurors
15. ____ Misdemeanor
O. Written statement of facts for a court
16. ____ Mistrial
P. An order of the court for a witness to appear to testify and/or provide documents
17. ____ Motion
Q. The judge, following an objection, agrees that the line of questioning should not continue
18. ____ Objection
R. Efforts of either side to obtain information before the trial through depositions, written statements, and collection of documents
19. ____ Overruled
S. Any person involved in a lawsuit except the lawyers and witnesses
20. ____ Plaintiff
T. The first questioning in a trial of a witness by the lawyer who called that witness
21. ____ Plea bargain
U. A jury, selected by judges, which decides if there is enough evidence in a case to warrant a trial or hears evidence of public wrongdoing by public officials
22. ____ Sentencing
V. An accusation of a crime, made against a person by a grand jury upon the request of a prosecutor
23. ____ Subpoena
W. The authority given by law to a court to try cases and rule on legal matters in a particular geographic area
24. ____ Sue
X. The questioning of a witness by the lawyer or the opposing side
25. ____ Sustained
Y. Any lawsuit or other turning to the courts to solve a legal matter
26. ____ Verdict
Z. The party sued in a civil lawsuit or the party charged with a crime in a criminal prosecution

Courtroom Vocabulary - Key

- | | |
|--------------------------------|--|
| 1. H Appeal | A. The judge, following an objection, decides that questions may continue |
| 2. L Arraignment | B. To start legal action against someone in a court |
| 3. O Brief | C. The party which initiates a lawsuit against the defendant, demanding a legal remedy, such as damages |
| 4. B Complaint | D. How a lawyer asks a judge to make a decision |
| 5. X Cross-examination | E. A lesser crime punishable by a fine and/or limited jail time. |
| 6. Z Defendant | F. Common term for a legal action by one person or entity against another person or entity to be decided in a civil trial |
| 7. T Direct examination | G. A trial that becomes invalid, and is essentially canceled, because of a mistake in procedure |
| 8. R Discovery | H. A request for a higher court to review a decision made by a lower court |
| 9. U Grand Jury | I. The delivering of the punishment to be given to a person who has been convicted of a crime |
| 10. N Impanel a jury | J. The opposing side finds fault with the question being asked the witness |
| 11. V Indictment | K. The formal decision or finding of a judge or jury |
| 12. W Jurisdiction | L. When the accused is brought before the court to hear the charges against him or her. He or she pleads guilty or not guilty at this time |
| 13. S Litigants | M. An agreement between the defendant and the prosecution for the defendant to plead guilty or no contest in return for a reduced sentence |
| 14. Y Litigation | N. The act of selecting a jury from a list of potential jurors |
| 15. E Misdemeanor | O. Written statement of facts for a court |
| 16. G Mistrial | P. An order of the court for a witness to appear to testify and/or provide documents |
| 17. D Motion | Q. The judge, following an objection, agrees that the line of questioning should not continue |
| 18. J Objection | R. Efforts of either side to obtain information before the trial through depositions, written statements, and collection of documents |
| 19. A Overruled | S. Any person involved in a lawsuit except the lawyers and witnesses |
| 20. C Plaintiff | T. The first questioning in a trial of a witness by the lawyer who called that witness |
| 21. M Plea bargain | U. A jury, selected by judges, which decides if there is enough evidence in a case to warrant a trial or hears evidence of public wrongdoing by public officials |
| 22. I Sentencing | V. An accusation of a crime, made against a person by a grand jury upon the request of a prosecutor |
| 23. P Subpoena | W. The authority given by law to a court to try cases and rule on legal matters in a particular geographic area |
| 24. F Sue | X. The questioning of a witness by the lawyer or the opposing side |
| 25. Q Sustained | Y. Any lawsuit or other turning to the courts to solve a legal matter |
| 26. K Verdict | Z. The party sued in a civil lawsuit or the party charged with a crime in a criminal prosecution |

Your Day In Court

1. Before you read the graphic novel, describe your images of a court or courtroom. Based on what you know, have seen on TV or may have experienced, what is the purpose of courts? What is the atmosphere in a courtroom? What is it like to be involved in a court case? What are judges like? Lawyers? Juries?

Read the graphic novel.

2. What is the purpose and goal of the court system?
3. How do the lawyers act? The judge? Why?
4. How were the courtrooms, cases, and experiences depicted in the graphic novel similar to your image of courts?

Different?

5. Why do these similarities and differences exist?
6. How is the popular image of courts misleading?

How is that misrepresentation problematic for the effective working of the court system? (Think about the average person being called in for jury duty; how might inaccurate expectations affect their decisions/actions? Think about a person contemplating going to court to fight for their rights; how might an inaccurate view affect their decisions?)

7. Why do TV shows and movies depict courtrooms the way they do?

8. Thinking about the true goal and nature of courts, how do you believe that courts provide an important service to you and other American citizens?

9. Why is the proper functioning of courts, and thus accurate images of how courts operate, important to American society?

How the Courts Work: Extension/Assessment

Break students up into small groups. Assign each of the groups to be jury, witness, or litigant. Give each group the appropriate instructions:

Jury: Based on what you have learned, write a “Brief Guide for Jurors.” Include information about what and who they can expect to see in a courtroom, what each person’s purpose is, what they should know about courts, how courts work, and what the purpose of the court system is, so that they are best prepared for their role as jurors and help to administer justice.

Witness: Based on what you have learned, write a “Brief Guide for Witnesses.” Include information about what and who they can expect to see in a courtroom, what each person’s purpose is, what they should know about courts, how courts work, and what the purpose of the court system is, so that they are best prepared for their role as witnesses and help to administer justice.

Litigants: Based on what you have learned, write a “Brief Guide for Litigants.” Include information about what and who they can expect to see in a courtroom, what each person’s purpose is, what they should know about courts, how courts work, and what the purpose of the court system is, so that they are best prepared for their role as either defense or plaintiffs and help to administer justice.

Example Lesson Plan 1: The Workings of a Court

Objectives:

1. To identify the key terminology of courts
2. To compare and contrast popular images of courtrooms with actual court practice
3. To evaluate popular images of courts and assess the effect of them

Activities:

1. Either give students the “Your Day in Court” sheet and have them answer question 1 OR provide the following prompt and have students write a response on paper. Prompt: Based on what you know, have seen on TV or may have experienced, what is the purpose of courts? What is the atmosphere in a courtroom? What is it like to be involved in a court case? What are judges like? Lawyers? Juries?
2. Have students share their responses. List ideas and images on the board. Ask students where most of these images come from. Have any of you ever been in a courtroom while court was in session?
3. Give students a copy of the graphic novel and have them read it. When they finish, first have them complete either the crossword puzzle or matching activity to check for comprehension of court terms.
4. Check answers on the crossword or matching. Then have students complete the “Your Day in Court” sheet. If you used the sheet with the prompt, then they can just complete the rest, or if you did the prompt separately, then you can give them the shortened version.
5. Discuss student responses.
6. Have students complete the extension activity and create a “Guide for Jurors/Witnesses/Litigants.” If you feel that your students need additional background information first, then you could have them complete the “Understanding Differences in the Courtroom” sheet first or go to the library or computer resources for additional research.

Alignment with the National Standards for Civics and Government, Center for Civic Education

I. What are Civic Life, Politics, and Government?

A. What is civic life? What is politics? What is government? Why are government and politics necessary? What purposes should government serve?

1. Defining civic life, politics, and government.

- identify institutions with authority to direct or control the behavior of members of a society, e.g., a school board, city council, state legislature, courts, Congress

2. Necessity and purposes of government.

- evaluate competing ideas about the purposes government should serve, e.g.,
 1. protecting individual rights
 2. promoting the common good
 3. providing economic security
 4. molding the character of citizens
 5. furthering the interests of a particular class or group

B. What are the essential characteristics of limited and unlimited government?

2. The Rule of Law

- explain how the rule of law can be used to restrict the actions of private citizens and government officials alike in order to protect the rights of individuals and to promote the common good

II. What are the Foundations of the American Political System?

D. What values and principles are basic to American constitutional democracy?

2. Conflicts among values and principles in American political and social life.

- describe conflicts among fundamental values and principles and give historical and contemporary examples of these conflicts, such as
 - conflicts between liberty and equality, e.g., liberty to exclude others from private clubs and the right of individuals to be treated equally
 - conflicts between individual rights and the common good, e.g., liberty to smoke in public places and protection of the health of other persons

- explain why people may agree on values or principles in the abstract but disagree when they are applied to specific issues

III. How does the Government Established by the Constitution Embody the Purposes, Values, and Principles of American Democracy?

A. How are power and responsibility distributed, shared and limited in the government established by the United States Constitution?

- i. explain how legislative, executive, and judicial powers are distributed and shared among the three branches of the national government
 1. legislative power--although primary legislative power lies with Congress, it is shared with the other branches, e.g., the Supreme Court can interpret laws
 2. judicial power--although primary judicial power is with the federal judiciary, it is shared with other branches, e.g., Congress can “overturn” a Supreme Court interpretation of a law by amending it

E. What is the place of law in the American constitutional system?

1. **The place of law in American society.** Students should be able to explain the importance of law in the American constitutional system.

- explain the importance of the rule of law in
 - establishing limits on both those who govern and the governed
 - protecting individual rights
 - promoting the common good
- identify principal varieties of law, e.g., constitutional, criminal, civil
- explain how the principal varieties of law protect individual rights and promote the common good

2. **Criteria for evaluating rules and laws.** Students should be able to explain and apply criteria useful in evaluating rules and laws.

- identify the strengths and weaknesses of a rule or law by determining if it is
 - well designed to achieve its purposes
 - fair, i.e., not biased against or for any individual or group
 - designed to protect individual rights and to promote the common good
- draft rules for their schools or communities that meet the criteria for a good or well-constructed rule or law

3. **Judicial protection of the rights of individuals.** Students should be able to evaluate, take, and defend positions on current issues regarding judicial protection of individual rights.

- explain the importance to individuals and to society of major due process protections
 - fair notice
 - impartial tribunal
 - right to counsel
 - trial by jury
 - right against self-incrimination
 - protection against double jeopardy
 - right of appeal

F. How does the American political system provide for choice and opportunities for participation?

1. The public agenda. Students should be able to explain what is meant by the public agenda and how it is set.

To achieve this standard, students should be able to

- explain that the public agenda consists of those matters that occupy public attention at any particular time, e.g., crime, health care, education, child care, environmental protection, drug abuse
- describe how the public agenda is shaped by political leaders, interest groups, the media, state and federal courts, individual citizens
- explain how individuals can help to shape the public agenda, e.g., by joining interest groups or political parties, by making presentations at public meetings, by writing letters to government officials and to newspapers

5. Forming and carrying out public policy. Students should be able to explain how public policy is formed and carried out at local, state, and national levels and what roles individuals can play in the process.

To achieve this standard, students should be able to

- define public policy and identify examples at local, state, and national levels
- describe how public policies are formed and implemented
- explain how citizens can monitor and influence the formation and implementation of public policies
- explain why conflicts about values, principles, and interests may make agreement difficult or impossible on certain issues of public policy, e.g., affirmative action, gun control, environmental protection, capital punishment, equal rights

V. What are the Roles of the Citizen in American Democracy?

B. What are the rights of citizens?

1. **Personal rights.** Students should be able to evaluate, take, and defend positions on issues involving personal rights.

To achieve this standard, students should be able to

- identify personal rights, e.g., freedom of conscience, freedom to marry whom one chooses, to have children, to associate with whomever one pleases, to live where one chooses, to travel freely, to emigrate
- explain the importance to the individual and to society of such personal rights as
 - freedom of expression and association
 - privacy
- identify and evaluate contemporary issues that involve personal rights

3. **Economic rights.** Students should be able to evaluate, take, and defend positions on issues involving economic rights.

- identify important economic rights, e.g., the right to own property, choose one's work, change employment, join a labor union, establish a business
- identify statements of economic rights in the United States Constitution, e.g., requirement of just compensation, contracts, copyright, patents
- explain the importance to the individual and to society of such economic rights as the right to
 1. acquire, use, transfer, and dispose of property
 2. copyright and patent
- identify and evaluate contemporary issues regarding economic rights, e.g., employment, welfare, social security, minimum wage, health care, equal pay for equal work, freedom of contract

4. **Scope and limits of rights.** Students should be able to evaluate, take, and defend positions on issues regarding the proper scope and limits of rights.

- explain what is meant by the “scope and limits” of a right, e.g., the scope of one's right to free speech in the United States is extensive and protects almost all forms of political expression. The right to free speech, however, can be limited if and when that speech seriously harms or endangers others
- explain the argument that all rights have limits
- explain criteria commonly used in determining what limits should be placed on specific rights, e.g.,

- i. clear and present danger rule
- ii. compelling government interest test
- iii. national security
- iv. libel or slander
- v. public safety
- vi. equal opportunity
- identify and evaluate positions on a contemporary conflict between rights, e.g., right to a fair trial and right to a free press, right to privacy and right to freedom of expression
- identify and evaluate positions on a contemporary conflict between rights and other social values and interests, e.g., the right of the public to know what their government is doing versus the need for national security, the right to property versus the protection of the environment

C. What are the responsibilities of citizens?

1. Personal responsibilities. Students should be able to evaluate, take, and defend positions on the importance of personal responsibilities to the individual and to society.

To achieve this standard, students should be able to

- evaluate the importance of commonly held personal responsibilities, such as
 - accepting responsibility for the consequences of one's actions
 - adhering to moral principles
 - considering the rights and interests of others
 - behaving in a civil manner
- identify and evaluate contemporary issues that involve personal responsibilities, e.g., failure to provide adequate support or care for one's children, cheating on examinations, lack of concern for the less fortunate

2. Civic responsibilities. Students should be able to evaluate, take, and defend positions on the importance of civic responsibilities to the individual and society.

To achieve this standard, students should be able to

- evaluate the importance of commonly held civic responsibilities, such as
 - obeying the law
 - respecting the rights of others
 - being informed and attentive to public issues

- monitoring political leaders and governmental agencies and taking appropriate action if their adherence to constitutional principles is lacking
- participating in civic groups
- performing public service
- serving as a juror
- serving in the armed forces
- explain the meaning of civic responsibilities as distinguished from personal responsibilities
- evaluate when their responsibilities as Americans require that their personal rights and interests be subordinated to the public good
- evaluate the importance for the individual and society of fulfilling civic responsibilities
- identify and evaluate contemporary issues that involve civic responsibilities, e.g., low voter participation, avoidance of jury duty, failure to be informed about public issues

E. How can citizens take part in civic life?

1. Participation in civic and political life and the attainment of individual and public goals.

Students should be able to explain the relationship between participating in civic and political life and the attainment of individual and public goals.

- identify examples of their own individual goals and explain how their participation in civic and political life can help to attain them, e.g., living in a safe and orderly neighborhood, obtaining a good education, living in a healthy environment
- identify examples of public goals and explain how participation in civic and political life can help to attain them, e.g., increasing the safety of the community, improving local transportation facilities, providing opportunities for education and recreation

3. **Forms of political participation.** Students should be able to describe the means by which Americans can monitor and influence politics and government.

To achieve this standard, students should be able to

- explain how Americans can use the following means to monitor and influence politics and government at local, state, and national levels
 - voting
 - becoming informed about public issues
 - discussing public issues
 - communicating with public officials

- joining political parties, interest groups, and other organizations that attempt to influence public policy and elections
- attending meetings of governing bodies

Alignment with National Council for the Social Studies' Curriculum Standards for Social Studies

Strand II: Time, Continuity and Change

Human beings seek to understand their historical roots and to locate themselves in time. Such understanding involves knowing what things were like in the past and how things change and develop. How has the world changed and how might it change in the future? How do our personal stories reflect varying points of view and inform contemporary ideas and actions?

Strand V: Individuals, Groups, and Institutions

Institutions such as schools, churches, families, government agencies, and the courts all play an integral role in our lives. These and other institutions exert enormous influence over us, yet institutions are no more than organizational embodiments to further the core social values of those who comprise them. Thus, it is important that students know how institutions are formed, what controls and influences them, how they control and influence individuals and culture, and how institutions can be maintained or changed. How am I influenced by institutions? How do institutions change? What is my role in institutional change?

Strand VI: Power, Authority and Governance

Understanding the historical development of structures of power, authority, and governance and their evolving functions in contemporary U.S. society, as well as in other parts of the world, is essential for developing civic competence. How can we keep government responsive to its citizens' needs and interests? How can individual rights be protected within the context of majority rule? Through study of the dynamic relationships among individual rights and responsibilities, the needs of social groups, and concepts of a just society, learners become more effective problem-solvers and decision-makers when addressing the persistent issues and social problems encountered in public life.

Strand X: Civic Ideals and Practices

An understanding of civic ideals and practices of citizenship is critical to full participation in society and is a central purpose of the social studies. All people have a stake in examining civic ideals and practices across time and in diverse societies as well as at home, and in determining how to close the gap between present practices and the ideals upon which our democratic republic is based. Learners confront such questions as: What is civic participation and how can I be involved? How has the meaning of citizenship evolved? What is the balance between rights and responsibilities? What is the role of the citizen in the community and the nation, and as a member of the world community? How can I make a positive difference?

Alignment with the Virginia Standards of Learning

Civics and Economics Standards of Learning

<http://www.doe.virginia.gov/VDOE/Superintendent/Sols/history7.pdf>

Civics and Economics

Standards for Civics and Economics examine the roles citizens play in the political, governmental, and economic systems in the United States. Students examine the constitutions of Virginia and the United States; identify the rights, duties, and responsibilities of citizens; and describe the structure and operation of government at the local, state, and national levels. Students investigate the process by which decisions are made in the American market economy and explain the government's role in it. The standards identify personal character traits, such as patriotism, respect for the law, and a sense of civic duty, that facilitate thoughtful and effective participation in the civic life of an increasingly diverse democratic society.

Civic education also must emphasize the intellectual skills required for responsible citizenship. Students practice these skills as they extend their understanding of the essential knowledge defined by the standards for Civics and Economics.

- CE.1 The student will develop the social studies skills citizenship requires, including the ability to
 - a) examine and interpret primary and secondary source documents;
 - b) create and explain maps, diagrams, tables, charts, graphs, and spreadsheets;
 - c) analyze political cartoons, political advertisements, pictures, and other graphic media;
 - d) distinguish between relevant and irrelevant information;
 - e) review information for accuracy, separating fact from opinion;
 - f) identify a problem and recommend solutions;
 - g) select and defend positions in writing, discussion, and debate.
- CE.2 The student will demonstrate knowledge of the foundations of American constitutional government by
 - a) explaining the fundamental principles of consent of the governed, limited government, rule of law, democracy, and representative government;
 - b) explaining the significance of the charters of the Virginia Company of London, the Virginia Declaration of Rights, the Declaration of Independence, the Articles of Confederation, the Virginia Statute for Religious Freedom, and the Constitution of the United States, including the Bill of Rights;
 - c) identifying the purposes for the Constitution of the United States as they are stated in its Preamble.
- CE.3 The student will demonstrate knowledge of citizenship and the rights, duties, and responsibilities of citizens by

- a) describing the processes by which an individual becomes a citizen of the United States;
- b) describing the First Amendment freedoms of religion, speech, press, assembly, and petition, and the rights guaranteed by due process and equal protection of the laws;
- c) describing the duties of citizenship, including obeying the laws, paying taxes, defending the nation, and serving in court;
- d) examining the responsibilities of citizenship, including registering and voting, communicating with government officials, participating in political campaigns, keeping informed about current issues, and respecting differing opinions in a diverse society;
- e) evaluating how civic and social duties address community needs and serve the public good.

CE.4 The student will demonstrate knowledge of personal character traits that facilitate thoughtful and effective participation in civic life by

- a) practicing trustworthiness and honesty;
- b) practicing courtesy and respect for the rights of others;
- c) practicing responsibility, accountability, and self-reliance;
- d) practicing respect for the law;
- e) practicing patriotism.

CE.5 The student will demonstrate knowledge of the political process at the local, state, and national levels of government by

- a) describing the functions of political parties;
- b) comparing the similarities and differences of political parties;
- c) analyzing campaigns for elective office, with emphasis on the role of the media;
- d) examining the role of campaign contributions and costs;
- e) describing voter registration and participation;
- f) describing the role of the Electoral College in the election of the President and Vice President.

CE.6 The student will demonstrate knowledge of the American constitutional government by

- a) explaining the relationship of state governments to the national government in the federal system;
- b) describing the structure and powers of local, state, and national governments;
- c) explaining the principle of separation of powers and the operation of checks and balances;
- d) identifying the procedures for amending the Constitution of the United States.

CE.7 The student will demonstrate knowledge of how public policy is made at the local, state, and national levels of government by

- a) explaining the lawmaking process;
- b) describing the roles and powers of the executive branch;
- c) examining the impact of the media on public opinion and public policy;

- d) describing how individuals and interest groups influence public policy.
- CE.8 The student will demonstrate knowledge of the judicial systems established by the Constitution of Virginia and the Constitution of the United States by
 - a) describing the organization and jurisdiction of federal and state courts;
 - b) describing the exercise of judicial review;
 - c) explaining court proceedings in civil and criminal cases;
 - d) explaining how due process protections seek to ensure justice.
- CE.9 The student will demonstrate knowledge of how economic decisions are made in the marketplace by
 - a) applying the concepts of scarcity, resources, choice, opportunity cost, price, incentives, supply and demand, production, and consumption;
 - b) comparing the differences among free market, command, and mixed economies;
 - c) describing the characteristics of the United States economy, including free markets, private property, profit, and competition.
- CE.10 The student will demonstrate knowledge of the structure and operation of the United States economy by
 - a) describing the types of business organizations and the role of entrepreneurship;
 - b) explaining the circular flow that shows how consumers (households), businesses (producers), and markets interact;
 - c) explaining how financial institutions encourage saving and investing;
 - d) examining the relationship of Virginia and the United States to the global economy, with emphasis on the impact of technological innovations.
- CE.11 The student will demonstrate knowledge of the role of government in the United States economy by
 - a) examining competition in the marketplace;
 - b) explaining the creation of public goods and services;
 - c) describing the impact of taxation, including an understanding of the reasons for the 16th amendment, spending, and borrowing;
 - d) explaining how the Federal Reserve System regulates the money supply;
 - e) describing the protection of consumer rights and property rights.
- CE.12 The student will demonstrate knowledge of career opportunities by
 - a) identifying talents, interests, and aspirations that influence career choice;
 - b) identifying attitudes and behaviors that strengthen the individual work ethic and promote career success;
 - c) identifying skills and education that careers require;
 - d) examining the impact of technological change on career opportunities.

Virginia and United States Government

Standards for Virginia and United States Government define the knowledge that enables citizens to participate effectively in civic life. Students examine fundamental constitutional principles, the rights and responsibilities of citizenship, the political culture, the policy-making process at each level of government, and the operation of the United States market economy. The standards identify the personal character traits that facilitate thoughtful and effective participation in the civic life of an increasingly diverse democratic society.

Civic education also must emphasize the intellectual skills required for responsible citizenship. Students practice these skills as they extend their understanding of the essential knowledge defined by the current standards for Virginia and United States Government.

- GOVT.1 The student will demonstrate mastery of the social studies skills citizenship requires, including the ability to
- analyze primary and secondary source documents;
 - create and interpret maps, diagrams, tables, charts, graphs, and spreadsheets;
 - analyze political cartoons, political advertisements, pictures, and other graphic media;
 - distinguish between relevant and irrelevant information;
 - evaluate information for accuracy, separating fact from opinion;
 - identify a problem and prioritize solutions;
 - select and defend positions in writing, discussion, and debate.
- GOVT.2 The student will demonstrate knowledge of the political philosophies that shaped the development of Virginia and United States constitutional government by
- describing the development of Athenian democracy and the Roman republic;
 - explaining the influence of the Magna Carta, the English Petition of Rights, and the English Bill of Rights;
 - examining the writings of Hobbes, Locke, and Montesquieu;
 - explaining the guarantee of the rights of Englishmen set forth in the charters of the Virginia Company of London;
 - analyzing the natural rights philosophies expressed in the Declaration of Independence.
- GOVT.3 The student will demonstrate knowledge of the concepts of democracy by
- recognizing the fundamental worth and dignity of the individual;
 - recognizing the equality of all citizens under the law;
 - recognizing majority rule and minority rights;
 - recognizing the necessity of compromise;
 - recognizing the freedom of the individual.

- GOVT.4 The student will demonstrate knowledge of the Constitution of the United States by
- a) examining the ratification debates and The Federalist;
 - b) identifying the purposes for government stated in the Preamble;
 - c) examining the fundamental principles upon which the Constitution of the United States is based, including the rule of law, consent of the governed, limited government, separation of powers, and federalism;
 - d) illustrating the structure of the national government outlined in Article I, Article II, and Article III;
 - e) describing the amendment process.
- GOVT.5 The student will demonstrate knowledge of the federal system described in the Constitution of the United States by
- a) explaining the relationship of the state governments to the national government;
 - b) describing the extent to which power is shared;
 - c) identifying the powers denied state and national governments;
 - d) examining the ongoing debate that focuses on the balance of power between state and national governments.
- GOVT.6 The student will demonstrate knowledge of local, state, and national elections by
- a) describing the organization, role, and constituencies of political parties;
 - b) describing the nomination and election process;
 - c) examining campaign funding and spending;
 - d) analyzing the influence of media coverage, campaign advertising, and public opinion polls;
 - e) examining the impact of reapportionment and redistricting;
 - f) identifying how amendments extend the right to vote;
 - g) analyzing voter turnout.
- GOVT.7 The student will demonstrate knowledge of the organization and powers of the national government by
- a) examining the legislative, executive, and judicial branches;
 - b) analyzing the relationship between the three branches in a system of checks and balances.
- GOVT.8 The student will demonstrate knowledge of the organization and powers of the state and local governments described in the Constitution of Virginia by
- a) examining the legislative, executive, and judicial branches;
 - b) examining the structure and powers of local governments: county, city, and town;
 - c) analyzing the relationship among state and local governments.
- GOVT.9 The student will demonstrate knowledge of the process by which public policy is made by
- a) examining different perspectives on the role of government;
 - b) explaining how local, state, and national governments formulate public policy;
 - c) describing the process by which policy is implemented by the bureaucracy at each level;

- d) analyzing how individuals, interest groups, and the media influence public policy.
- GOVT.10 The student will demonstrate knowledge of the operation of the federal judiciary by
- a) explaining the jurisdiction of the federal courts;
 - b) examining how John Marshall established the Supreme Court as an independent, co-equal branch of government through his opinions in *Marbury v. Madison*;
 - c) describing how the Supreme Court decides cases;
 - d) comparing the philosophies of judicial activism and judicial restraint.
- GOVT.11 The student will demonstrate knowledge of civil liberties and civil rights by
- a) examining the Bill of Rights, with emphasis on First Amendment freedoms;
 - b) analyzing due process of law expressed in the 5th and 14th Amendments;
 - c) explaining selective incorporation of the Bill of Rights;
 - d) exploring the balance between individual liberties and the public interest;
 - e) explaining every citizen's right to be treated equally under the law.
- GOVT.12 The student will demonstrate knowledge of the role of the United States in a changing world by
- a) describing the responsibilities of the national government for foreign policy and national security;
 - b) assessing the role played by national interest in shaping foreign policy and promoting world peace;
 - c) examining the relationship of Virginia and the United States to the global economy;
 - d) examining recent foreign policy and international trade initiatives since 1980.
- GOVT.13 The student will demonstrate knowledge of how governments in Mexico, Great Britain, and the People's Republic of China compare with government in the United States by
- a) describing the distribution of governmental power;
 - b) explaining the relationship between the legislative and executive branches;
 - c) comparing the extent of participation in the political process.
- GOVT.14 The student will demonstrate knowledge of economic systems by
- a) identifying the basic economic questions encountered by all economic systems;
 - b) comparing the characteristics of free market, command, and mixed economies, as described by Adam Smith and Karl Marx;
 - c) evaluating the impact of the government's role in the economy on individual economic freedoms;
 - d) explaining the relationship between economic freedom and political freedom;
 - e) examining productivity and the standard of living as measured by key economic indicators.
- GOVT.15 The student will demonstrate knowledge of the United States market economy by

- a) assessing the importance of entrepreneurship, the profit motive, and economic independence to the promotion of economic growth;
- b) comparing types of business organizations;
- c) describing the factors of production;
- d) explaining the interaction of supply and demand;
- e) illustrating the circular flow of economic activity;
- f) analyzing global economic trends, with emphasis on the impact of technological innovations.

GOVT.16 The student will demonstrate knowledge of the role of government in the Virginia and United States economies by

- a) analyzing the impact of fiscal and monetary policies on the economy;
- b) describing the creation of public goods and services;
- c) examining environmental issues, property rights, contracts, consumer rights, labor-management relations, and competition in the marketplace.

GOVT.17 The student will demonstrate knowledge of personal character traits that facilitate thoughtful and effective participation in civic life by

- a) practicing trustworthiness and honesty;
- b) practicing courtesy and respect for the rights of others;
- c) practicing responsibility, accountability, and self-reliance;
- d) practicing respect for the law;
- e) practicing patriotism.

GOVT.18 The student will understand that thoughtful and effective participation in civic life is characterized by

- a) obeying the law and paying taxes;
- b) serving as a juror;
- c) participating in the political process;
- d) performing public service;
- e) keeping informed about current issues;
- f) respecting differing opinions in a diverse society.

Computer/Technology

The Computer/Technology Standards of Learning identify and define the progressive development of essential knowledge and skills necessary for students to access, evaluate, use and create information using technology. They provide a framework for technology literacy and demonstrate a progression from physical manipulation skills for the use of technology, to intellectual skills necessary for information use, to skills needed for working responsibly and productively within groups. Computer/technology proficiency is not an end in itself, but lays the foundation for continuous learning. The focus is on learning using technology rather than learning about technology.

Grades 6-8

Social and Ethical Issues

C/T 6-8.3 The student will demonstrate knowledge of ethical, cultural, and societal issues related to technology.

- Demonstrate knowledge of current changes in information technologies.
- Explain the need for laws and policies to govern technology.
- Explore career opportunities in technology related careers.

C/T 6-8.4 The student will practice responsible use of technology systems, information, and software.

- Demonstrate the correct use of fair use and copyright regulations.
- Demonstrate compliance with the school division's Acceptable Use Policy and other legal guidelines.

C/T 6-8.5 The student will demonstrate knowledge of technologies that support collaboration, personal pursuits, and productivity.

- Work collaboratively and/or independently when using technology.
- Practice preventative maintenance of equipment, resources, and facilities.
- Explore the potential of the Internet as a means of personal learning and the respectful exchange of ideas and products.

Grades 9-12

Social and Ethical Issues

C/T 9-12.3 The student will demonstrate knowledge of ethical, cultural, and societal issues related to technology.

- Assess the potential of information and technology to address personal and workplace needs.

- Demonstrate knowledge of electronic crimes such as viruses, pirating, and computer hacking.
- Explore and participate in online communities, and online learning opportunities.
- Identify the role that technology will play in future career opportunities.

C/T 9-12.4 The student will practice responsible use of technology systems, information, and software.

- Adhere to fair use and copyright guidelines.
- Adhere to the school division's Acceptable Use Policy as well as other state and federal laws.
- Model respect for intellectual property.

C/T 9-12.5 The student will demonstrate knowledge of technologies that support collaboration, personal pursuits, and productivity.

- Respectfully collaborate with peers, experts, and others to contribute to an electronic community of learning.
- Model responsible use and respect for equipment, resources, and facilities.

