

ROLEPLAY

(Search and Seizure)

- I. There have been an increasing number of thefts at Central High School, most of them involving the theft of cash. In an attempt to catch the thief or thieves, school administrators and law enforcement have devised a plan. Several sets of dollar bills have been discreetly marked and placed in purses, wallets, and lockers of a few students who have been informed of the operation. On a day that one or more sets of the money is found to be missing, a surprise and warrantless search and seizure will be conducted. School officials and law enforcement will be placed at the school exits as “check-point” barriers. (The plan to be known as Operation Check-Point) All students will be required to pass through a “check-point” before leaving the building. Students will be stopped at random; which students are stopped will be left to the discretion of the authorities at the “check-points.” Some of the students stopped will be searched by emptying their purses, wallets, and pockets; which students will be searched also will be random and will be left to the discretion of the authorities.
- II. On a certain day, two sets of the “marked” money were found missing and Operation Check-Point began. Hundreds of unsuspecting students were stopped briefly and questioned or stopped, questioned and searched. One of the sets of “marked” money was recovered. In addition to the money, the searches uncovered cigarettes, alcohol, drugs, and two switch blades. All are in violation of school rules and state law.
- III. A delinquency hearing is set at which the student who had the “marked” money, as well as the other students who were searched and found to be in violation of rules/laws, will answer to charges. The hearing has created a considerable amount of interest among several groups.
- IV. A roleplay will be initiated in which the following groups will argue their positions:

School administration, law enforcement, etc. - feel that the searches and seizures were performed reasonably and with probable cause; the searches and seizures were to further the legitimate interest of “cracking down” on crime.

Student who had the “marked” money in his/her wallet - an overall good student, in good citizenship standing with no prior record of any discipline problems at school or otherwise; feels that evidence should be suppressed because it was obtained through an unlawful search and seizure, i.e., no probable cause for the seizure, unreasonable search, no consent to search was requested or given. He/she was simply told to empty his pockets and wallet:

Group of students found with cigarettes, alcohol, etc. - a diverse group of students from various backgrounds; feel that evidence should be suppressed because it was obtained through an unlawful search and seizure, i.e., no probable cause for the seizure, unreasonable search, consent was given only to search for stolen money.

Group of students and parents - feel that although they were not found with any “marked” money, cigarettes, etc., they were stopped and questioned or stopped and searched which violated their Fourth Amendment Rights because it amounted to an unlawful search and seizure or unlawful seizure, i.e., unreasonable search, no probable cause.

- V. Students will divide into groups of four, five, or six, each group representing one of the above interests. After each group meets to discuss their position, they will present their argument consistent with their group or interest. One representative will present his or her group’s argument at the “hearing.”