

State of Ohio v. Hank Dobbs

High School students will role-play a fictional case of State v. Dobbs. The experience unfolds in a trial court setting and later the Supreme Court. This provides students with a basic understanding of the roles and responsibilities of both trial and appellate courts.

SUGGESTED PRE-TOUR ACTIVITY:

Read the story of Hank Dobbs in class.

CASE SYNOPSIS:

Hank Dobbs is a 16-year-old high school student who attends the school prom with his date, Hailey Anderson. Hank steals a bottle of liquor from his parents that he and Hailey can drink in his car after the prom is over. The school has hired off-duty police officer Scott Allen to direct traffic out of the prom parking lot. As Hank is leaving, Officer Allen signals him to stop. Because he has been drinking, Hank panics and hits the gas instead of the brakes and accidentally runs into the officer, breaking his foot. Hank is arrested and charged with assaulting a police officer. His case begins in juvenile court, where his lawyer says he made a reckless decision. The prosecuting attorney wants Hank charged as an adult for purposely harming an officer. The juvenile judge turns the case over to adult court where Hank is charged with a first-degree felony.

Each side will now present a version of the incident to a judge and jury in the trial courtroom. They will present witnesses who give testimony as well as physical evidence.

After deliberations, the jury finds Hank guilty of the first degree felony. Hank's defense attorney files for an appeal. Everyone is entitled to one appeal, which is based on legal grounds. Hank's appeal centers on two issues: (1) was Mr. Allen acting as a police officer at the time, even though he was off-duty and (2) was it proper to try Hank in adult court. It is very important to understand that the facts in the case have been established at the trial level. From this point on, the focus will be on questions of law.

Ohio is divided into 12 District Courts of Appeal, also referred to as appellate courts. Hank's attorney files a legal brief for the case to be heard by the appeals court. The appellate courts can uphold, overturn or modify a trial court verdict, or they can order a case back for a new trial. Unfortunately for Hank, the court of appeals upholds the trial verdict.

Hank's attorney then files a brief requesting the case be heard by the Supreme Court of Ohio. The Supreme Court is not required to take Hank's case, but accepts his case because determining when a police officer is considered to be on active duty is an issue that impacts not only Hank, but the citizens of Ohio. Attorneys for each side will have the opportunity to appear before the Supreme Court and present oral arguments in support of their position. The seven justices of the Supreme Court will deliberate and issue an opinion on the case.

How will the court decide in the case of State v. Dobbs? Find out when you tour the Visitor Education Center at the Supreme Court of Ohio.

SUGGESTED POST-TOUR IDEAS:

- Have students write a reflective piece on the trial of Hank Dobbs. Do they agree or disagree with the outcome?
- Discuss in class how the government protected the rights of Hank Dobbs.
- Ask students to write a journal entry from the perspective of a participant, such as Hank or Officer Allen.
- Summarize how trial courts differ from appellate courts.
- Discuss how this case differs from cases portrayed on TV or movies.