

You Decide

The first exhibit area in the Visitor Education Center features eight different Ohio court cases. Each case presents an important issue decided by the courts. As time allows, students will get an overview of selected cases and also have a chance to explore on their own. Cases are discussed based on grade-level.

SUGGESTED PRE-TOUR ACTIVITY:

Divide your class into groups and assign each group one of the "You Decide" cases. Ask the group to read the case and the question that came before the courts. After some discussion, each small group should "decide" the case and report their decision to the class. On the day of the tour, students can find their case in the exhibit area and determine if they came to the same conclusion as the Ohio courts.

The Shot Heard Around Ohio Zacchini v. Scripps-Howard Broadcasting Company

Hugo Zacchini performed a "human canon ball" act in which he was shot from a cannon into a net 200 feet away. A Cleveland TV station broadcast his entire 15-second act on the news without his permission. Hugo went to court, stating the station stole his thunder and owed him \$25,000. The news outlet said the U.S. Constitution protected its freedom of speech because the act was a public event.

DOES THE TELEVISION STATION OWE MR. ZACCHINI MONEY FOR BROADCASTING HIS ENTIRE ACT?

Dressed to Kill State v. Bontrager

As a member of the Older Order of Amish faith, Joas Bontrager is supposed to wear dark blue or black clothing at all times. While deer hunting, he was cited by officers for not wearing an orange colored hat, vest or jacket as required by Ohio regulation. Bontrager argued in court that the rule violates the U.S. and Ohio Constitutions.

DOES THE REGULATION REQUIRING HUNTERS TO WEAR BRIGHT ORANGE CLOTHING VIOLATE AMISH RELIGIOUS FREEDOMS?

Bad Hair Day Rogers v. Toni Home Permanent Company

Perms were trendy in the 1950's and many girls and women used a popular product called Toni Home Permanent. For one Ohio girl, though, the results were disastrous. She and her mother followed the directions, but when she took the curlers off, her hair fell out. She sued the manufacturer for \$30,000 in damages.

SHOULD THE MANUFACTURER HAVE TO PAY FOR WHAT HAPPENED TO THE GIRL?

Believe it or Not Boroff v. Van Wert City Board of Education

Nicholas Boroff, a student from Van Wert High School, wore a Marilyn Manson t-shirt to school. On the front was an image of a three-faced Jesus with the phrase "See No Truth, Hear No Truth, Speak No Truth". On the back was "BELIEVE". Finding the message offensive, the principal told Nicholas to wear it inside out or go home. Over the next four days, he wore a different Manson t-shirt, was sent home and marked truant. His mother filed suit, claiming her son's First Amendment right of free expression was being violated.

CAN SCHOOLS LIMIT FREE EXPRESSION?

Benched
Menke v. Ohio High School Athletic Association

Kentucky high school students who attended a Cincinnati private school were prohibited from playing junior varsity sports because a state rule limited eligibility to children of Ohio residents. The Kentucky students went to court claiming the rule violated their constitutional right to education and equal protection under the law.

IS PLAYING SCHOOL SPORTS PART OF A RIGHT TO AN EDUCATION?

Search & Seizure
State v. Jones and State v. Moore

A state trooper thought he smelled marijuana inside a car he pulled over. While the driver sat in the patrol car, the trooper called to check on the license. Even though the license was valid, the trooper decided to search the interior and trunk of the car. Marijuana was found in the trunk, but not inside the car. The driver filed a motion contesting his arrest, claiming that the search of the trunk was unconstitutional.

DOES THE SMELL OF BURNING MARIJUANA JUSTIFY A SEARCH WITHOUT A WARRANT?

Thrown for a Loss
Cincinnati Enquirer v. Krings

Paul Brown Stadium, home of the Cincinnati Bengals, was financed by a sales tax increase approved by Hamilton County voters. When The Cincinnati Enquirer asked to inspect all records related to cost overruns for the stadium, the newspaper was denied permission. Officials said many of the expense records were kept by private companies hired to build the stadium and they were not open to the public. The newspaper went to court to obtain the records.

ARE THE RECORDS OPEN TO THE PUBLIC?

Here's the Download
Atlantic Recording Corporation v. Does 1-2

Through computer programs like KaZaa and Grokster, people download thousands of songs and movies onto their own computers for free. The entertainment industry worries that downloading robs creative artists and companies of the money they would make from selling CD's and DVD's. In one of hundreds of cases around the country, recording companies went to federal court in Cincinnati on January 27, 2005 to sue unnamed downloaders, including students at the Ohio State University and Ohio University. The companies claim the students violated copyright law by downloading music for free.

SHOULD YOU BE ALLOWED TO DOWNLOAD COPYRIGHTED MUSIC FOR FREE?

SUGGESTED VARIATIONS:

- Examine each case as a class and vote on the outcome.
- Review newspapers for articles that address similar subjects as these eight cases.
- Using the *Ohio Revised Code* (ORC) and the Ohio Constitution, research the issue that the courts are being asked to interpret for each case, or just one case. Both documents can be accessed and searched on-line at <http://www.legislature.state.oh.us/constitution.cfm>. Try and find relevant information that might help support your decision.