



# Walking in Their Shoes

## The 2006 Justice Teaching Institute

Teachers from throughout Florida experienced justice “first-hand” in the 2006 Justice Teaching Institute, hosted annually by the Supreme Court of Florida. Each of Florida’s seven Supreme Court justices served as faculty during the institute as teachers analyzed the constitutional dilemmas presented in the case of *Hilton v. State of Florida*. The training provided a balance of academic and clinical experiences designed to prepare teachers to effectively teach about the courts and the administration of justice.

“This has been such an inspiring institute,” commented Barbara Blakeslee, a middle school teacher from Palm Beach County. “It will change my teaching – and my life,” she added. This year’s institute was based upon a Fourth Amendment issue. Teachers learned about the case and its corresponding constitutional issues through substantive sessions with judges, police officers, attorneys, and of course, the Supreme Court Justices. A wide range of methodologies were used to demonstrate legal processes and concepts. Twenty four participants representing twelve judicial circuits attended the 2006 institute.

The case asked the Florida Supreme Court to decide whether a person’s Fourth Amendment right to be free from unreasonable searches and seizures is violated when the police stop a vehicle for a cracked windshield regardless of whether the crack created any immediate danger. In analyzing this issue teachers had to first decide whether section 316.610 of the Florida Statutes permits stops for any windshield crack or only those cracks that render the vehicle unsafe.

The case involved Clearwater police officers Harrison and Sena who stopped Mr.

Hilton’s car on January 25<sup>th</sup>, 2002 after noticing that it had a cracked windshield. The officers checked Mr. Hilton’s identification for outstanding warrants and determined that Mr. Hilton was on probation. Meanwhile, another officer at the scene observed what



*Justice Lewis (standing) imparts his knowledge of the Fourth Amendment with Florida teachers.*

appeared to be the barrel of a rifle in plain view on the floor of the back seat of Mr. Hilton’s car. When Officer Harrison escorted Mr. Hilton to the curb to take him into custody for being a convicted felon in possession of a firearm, he smelled a strong odor of marijuana coming from Mr. Hilton. A search of Mr. Hilton revealed forty-two baggies of what was later determined to be marijuana. Once the “rifle” was retrieved from Mr. Hilton’s vehicle and secured in the police cruiser it was determined to be a BB gun.

In the drug-related criminal case that resulted, Mr. Hilton submitted a motion to suppress the drugs that the police found. Mr. Hilton argued that the stop of his car was improper because the crack in the windshield “was barely visible and located in the lower

right corner of the windshield and did not obstruct any view of the driver,” and because, “the rifle, at the scene, was determined to be a[n] ... air rifle.”

At the hearing on the motion, the testimony as to when Officers Harrison and Sena observed the windshield crack

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conflicted. Officer Harrison testified that he and Officer Sena observed the crack as Mr. Hilton drove by their stopped police cruiser. Officer Sena testified that they observed the crack while driving behind Mr. Hilton. Additionally, Officer Harrison testified that no glass was falling out of the crack, and, when asked if the crack would have obstructed the driver’s view, he replied, “No, not as far as I know. I don’t know.”

The institute began with an icebreaker exercise on the Florida Constitution and Code of Judicial Conduct. Teachers were given short excerpts from Article 5 of the Florida Constitution and asked to introduce themselves to five people they didn’t know. Each person taught 5 people their assigned information. “In doing this, teachers received a quick introduction to the structure and function of the judicial branch in Florida as well as the role and responsibilities of judges,” stated Judge Michael Genden, a circuit court judge from the 11<sup>th</sup> Judicial Circuit and this year’s Justice Teaching Institute facilitator and mentor judge for the institute. Judge Genden and returning Judge Janet Ferris, from the Second Judicial Circuit provided daily support to the teachers and prepared them for the culminating activity, a mock oral argument.



*Jackie Brown (right) participates in discussion about teaching techniques.*

Teachers were introduced to a variety of teaching methods as they learned about the appellate process. Annette Pitts, Executive Director of The Florida Law Related Education Association, Inc. demonstrated effective strategies for teaching controversial issues. Simulations, case studies, Supreme Court conference activities, re-enactments, and a host of other innovative techniques were integrated throughout the institute. Additionally teachers explored the trail of justice using the Hilton case. They began with a police traffic encounter and then moved into the circuit court for a motion to suppress hearing. Second Judicial Circuit Public Defender Nancy Daniels and State Attorney Willie Meggs simulated the motion to suppress hearing in the Hilton case. “This really brought every thing together for me,” started Melanie Harden, a teacher from Polk County. The teachers were able to see both sides of the issues presented in the trial courts.

Teachers learned the appellate process by following the case through the courts. “The unique element of the Justice Teaching Institute model is that teachers research and trace a real case through the system,” stated Annette Pitts. “They prepare to argue the case in the Supreme Court and serve as the petitioner, respondent, and justices during the institute.” As a final application, teachers observe the real oral arguments in the case scheduled to be held at the Supreme Court

during the Justice Teaching Institute. “Educators around the state need to look at JTI as the model on which to base all teacher trainings,” stated one JTI high school teacher.

The program is planned from September the preceding year. Teacher recruitment is generated statewide. Justice R. Fred Lewis selects the case, approves the agenda, selects the mentor judges, and coordinates presenters in and outside the court. His office also provides the legal research and materials for the institute. Annette Pitts, Executive Director of The Florida Law Related Education Association, Inc. assists the court and incorporates the educational methodologies to bring the institute to life for teachers. A variety of lessons and methodologies were highlighted. Teachers reported their favorites were the 4<sup>th</sup> Amendment case study demonstrated by Justice Lewis and Pitts; the controversial issues activity; the Faces of Justice and short takes exercises; and the separation of powers lesson with Justice Quince and Pitts.

“This is the very best institute I have ever attended,” stated Judy Jones, a teacher from Tampa. “The planning and implementation were flawless,” she added.



*Chief Justice Barbara Pariente (right) stands with JTI graduate Kahrim Armand (left).*

of participating in the institute. Additionally, teachers reported the institute increased their trust and confidence in the courts. One teacher wrote, “I cannot thank you enough for including me in what surely was a life-changing week for me.” The same teacher continued, “I have never learned so much in such a short period of time – I didn’t want it to end.” Another teacher wrote, “Our week’s activities reinforced my belief that the law and the Constitution are two of the best instructional tools we have.”

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Melanie Harden  
High School Teacher  
Polk County

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Several teachers suggested in their evaluations that the institute should be offered to civic groups, churches, and other public-oriented forums. “The institute made us feel so special and treasured,” said one JTI participant. “Thank you for the most memorable experience in my 30 years as an educator,” stated Deborah Carswell.

Teacher evaluations revealed a substantial increase in knowledge as a result

Paula Lesko was amazed at the opportunities she experienced during the institute, “I never anticipated that I would have the opportunity to meet and benefit from the wisdom of each and every Florida Supreme Court Justice.” Lesko added, “Thank you for supporting my belief that middle school teachers provide a critical bridge to high school in the study of civics.”

## Agenda Highlights

- Faces of Justice Exercise
- Structure and Function of the Florida Courts: Article V
- The Fourth Amendment
- Traffic Encounter Simulation
- Motion to Suppress Hearing
- Trail of Justice Tour
- Legal Research
- Case Study Method
- Dealing with Controversial Issues in the Classroom
- Preparing for Oral Arguments
- Separation of Powers
- Mock Oral Argument

The Florida Channel filmed a portion of the institute which will air in late May and June. The Florida Justice Teaching Institute is a model recognized nationally and worldwide. Judges and court officials from throughout the United States have attended the institute to replicate in their own states. A Justice from the Republic of Panama observed the model last year for possible replication in his country as well. The Florida Law Related Education Association, Inc. has been asked to present the model at various national and international forums including the World Congress on Civic Education to be held this year in Poland.

**The Florida Justice Teaching Institute is funded by the Florida Bar Foundation and The Florida Bar with in-kind assistance provided by the Supreme Court of Florida and the Florida Law Related Education Association, Inc.** Teachers return to their school districts and organize local Justice Teaching Institutes involving judges in their own judicial circuits. This provides a multiplier effect on the number of teachers and students impacted through the state institute.

## Teacher Participants

### **Kahrim Armand**

Middle School Teacher – Dade County

### **Barbara Blakeslee**

Middle School Teacher – Palm Beach County

### **Tracy Bonday-deLeon**

High School Teacher – Lee County

### **Danielle Boyer**

High School Teacher – Dade County

### **Elizabeth Broen**

High School Teacher – Highlands County

### **Jackie Brown**

Middle School Teacher – Santa Rosa County

### **Lynda Burdette**

Middle School Teacher – Pinellas County

### **Deborah Carswell**

Middle School Teacher – Orange County

### **Christine Clark**

Middle School Teacher – Brevard County

### **Bobbie Ann Davis**

High School Teacher – Dade County

### **Mel Gilbert**

High School Teacher – Orange County

### **Melanie Harden**

High School Teacher – Polk County

### **Joelle Heath**

High School Teacher – Orange County

### **Judith Jones**

High School Teacher – Hillsborough County

### **Michael Jones**

Middle School Teacher – Hernando County

### **James Kinnealy**

High School Teacher – Duval County

### **Paula Lesko**

Middle School Teacher – Pasco County

### **Dolores Libby**

Middle School Teacher – Highlands County

### **Theresa McDonald**

High School Teacher – Brevard County

### **Marcia Merck**

High School Teacher – Flagler County

### **James Morrison**

High School Teacher – Brevard County

### **Eunice Sigler**

PIO – Dade County

### **LaTonya Thomas**

High School Teacher – Seminole County

### **Jerry (JB) Whitten**

High School Teacher – Hillsborough County