

No Vehicles in the Park

Elementary School Level

BACKGROUND INFORMATION

A basic value in American society is individual safety. Many rules and regulations arise because Americans believe that people in their everyday lives should feel they are reasonably safe from bodily injury. The following simulation is concerned with a statute that evolved because of people's concern for safety in a specific environment. The statute regulates behavior.

PURPOSE

The purpose of this activity is to help students understand the functions of laws and the role of a judge in interpreting the law. Students will participate in the adjudication of several cases alleged to be in violation of a statute. Every participant plays the role of a judge. Individual cases are presented, and judges are asked to rule upon each one before determining whether a statute called "No Vehicles in the Park" has been violated. Violation of the statute carries a minimum fine of five dollars and a maximum fine of fifty dollars.

PROCEDURE VARIATION #1

Announce to the class that every pupil in the room is a judge. Explain that there is a neighboring community where no vehicles are allowed in the park. You are going to present a series of cases that may be violations of that statute. After describing each case, you are going to call upon a different judge who will determine if a case is, in fact, a violation. Each judge will have to make a determination, based solely on the facts presented. Remind the students that the verdict can range from not guilty to a fine on a scale from five to fifty dollars. Be sure to identify each student as "Judge Smith" or "Judge Jones," in order to emphasize their roles.

CASES TO BE CONSIDERED:

CASE 1:

An automobile drives through the park. It is stopped by a police officer. After checking the driver's license and registration, the officer asks why the car passed through the park and if the driver knows about the statute prohibiting vehicles. The driver reports knowing about the statute, but was in a hurry to cross town and went through the park as a shortcut.

CASE 2:

A garbage truck is stopped by a police officer for driving through the park. The driver admits knowing about the law, and that usually the vehicle is not used to pick up refuse. On this day, there was an unusual amount of garbage, and it couldn't be removed by hand.

CASE 3:

An ambulance is stopped by a police officer for driving through the park. The ambulance did not have its siren operating or its lights flashing. The driver explains that an accident had occurred, and the ambulance was called to pick up an old person. The person is believed to have had a heart attack. It would be unsafe to use the siren or lights with a heart-attack victim.

CASE 4:

A group of bicycle riders from the Fresh-Air-Is-Fun Club are stopped by a police officer while cycling through the park. The cyclists say they are on a day-long bicycle outing from another town and are unfamiliar with the statute. Several members of the group argue with the officer, stating that the law is stupid because the paths are wide enough for riders and walkers.

CASE 5:

This case involves a six-year-old girl who is riding her tricycle through the park. An officer stops her and tells her she can't ride her tricycle in the park. The little girl continues to ride, after telling the officer that it's a silly rule and she doesn't care.

CASE 6:

An eighty-two-year-old woman is stopped by a police officer when she is seen riding through the park on her skateboard. The woman has remarkably acute vision and says she read the posted sign prohibiting vehicles, but claims that her skateboard is a toy, not a vehicle. The officer does not know whether a skateboard is a vehicle or not. The woman is brought to court so that a judge can render a decision.

CASE 7:

A group of citizens in the community decide to place an old World War II army tank on a pedestal in the middle of the park. The tank will be transported on a flatbed truck. Before doing so a representative of the group calls the police department to ask if this is a violation of the statute about vehicles.

FOLLOW-UP DISCUSSION

By the time you have gone through all the cases, the class should be asking questions about what the statute means and how a vehicle is defined. If not, you can add your own cases, including roller skates, wagons, wheelchairs, and other such things.

Conduct a discussion, using the following questions:

1. Why would a community want a law about vehicles in the park?
2. What is the purpose of a park, and how does the statute protect that purpose?

3. Is the purpose of the park related to the purpose of the statute?
4. If you were legislators rather than judges, would you want to change this statute?

Our legal system requires that a delicate balance be maintained among competing interests. In the functioning of government, the purposes of various institutions must be in balance with one another. It is important for students to see the relationships between the legislature, the judiciary, the executive, law enforcement and the corrections branches. The following questions are designed to focus on these relationships:

1. What is the purpose of each institution?
2. Why are the processes separate? Why shouldn't the lawmakers also be the law - enforcers, for example?
3. It would certainly make life easier for police officers if they could issue appropriate punishment on the spot. What would be the dangers in operating this way?
4. What is society valuing by separating lawmaking from law enforcement?

PROCEDURE VARIATION 2:

1. Read or ask students to read the handout. (See next page.)
2. Tell students to decide individually which exceptions they would grant and why.
3. Divide the class into groups of four or five. Ask each group to decide on exceptions.
4. Vote on each case; for those the majority agree upon, have the class rewrite the law, so that all the exceptions they desire are included.
5. Debrief the lesson. Discuss interpretation and the need for clear laws.

NO VEHICLES IN THE PARK

The town of Beautifica has established a lovely park in the city because the city council wished to preserve some elements of nature, undisturbed by city noise, traffic, pollution and crowding. It is a place where citizens can go and find grass, trees, flowers and quiet. In addition, there are playgrounds and picnic areas. At all entrances to the park the following sign has been posted:

“No Vehicles in the Park.”

The law seems clear, but some disputes have arisen over the interpretation of the law. Interpret the law in each of the following cases, keeping in mind the letter of the law as well as the intent of the law.

1. John Smith lives on one side of the town and works on the other side. He will save ten minutes if he drives through the park.
2. There are many trash barrels in the park, so that people may deposit all litter there, thereby keeping the park clean. The sanitation department wants to go in to collect the trash.
3. Two police cars are chasing a suspected bank robber. If one cuts through the park, he can get in front of the suspect's car and trap him between the patrol cars.
4. An ambulance has a dying car accident victim in it and is racing to the hospital. The shortest route is through the park.
5. Some of the children who visit the park want to ride their bicycles there.
6. Mrs. Thomas wants to take her baby to the park in a baby buggy.
7. A monument to honor the town's citizens who died in the Vietnam War is being constructed. A tank, donated by the government, is to be placed beside the monument.
8. Several of the town's citizens have made a living for several years by driving people around scenic spots in the city in an old-fashioned horse and buggy. They want to drive people through the park.