

Prom Night Alcohol Test



Fourth Amendment United States Constitution

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and persons or things to be seized.”

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Jack Jones v. Washington High School

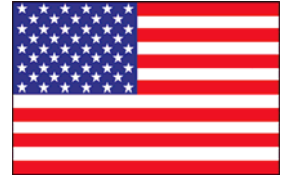
After four years straight of having the prom ruined by drunk students doing foolish things, administrators at Washington High School decided to take action. For this year's prom, two officers stood at the entrance to the prom with a breathalyzer machine. After giving their tickets to school staff, students followed the officers' directions and took a breathalyzer test. Each prom ticket had a written notice that taking and passing a breathalyzer test was required to get into the prom. If the breathalyzer test results or the officers' impressions showed that any student was legally intoxicated, that student was not allowed to enter the prom.

Jack Jones, a senior at Washington High School, attended a party prior to arriving at the prom. Alcohol was served at the party. When Jack arrived at the prom, many people were happy to see him because he was very popular at school. After talking with the two officers, Jack refused to take the breathalyzer test. Next, the school principal told Jack that he had to take the test and pass it in order to get into the prom. Jack still refused to take the test and was forced to go home.

The next day, Jack and his parents filed a lawsuit against Washington High School. The lawsuit claimed that Jack's Fourth Amendment rights were violated by forcing him to take a breathalyzer test.

In the circuit court, where Jack's case went to trial, the court agreed with Jack. The circuit court decided that it was unconstitutional for the school to demand a breathalyzer test without some sort of reason to believe that Jack had been drinking. The school appealed the circuit court's decision to the First District Court of Appeal. The district court disagreed with the circuit court and reversed the circuit court's decision. The district court said that the breathalyzer test was okay because going to the prom was a choice, and students were not required to attend. Jack and his parents appealed the case to the Florida Supreme Court, which is now ready to hear oral argument.

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Case Study Sheet

I. What are the Facts?

II. State the Issue to be Decided:

III. Arguments for Petitioner:

IV. Arguments for Respondent:

V. What Would You Decide?

VI. Reason/Evaluation:

VII. Mock Supreme Court Conference Decision:

VIII. Actual Decision of the Court:

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Constitutional Question

Do mandatory breathalyzer tests for students attending prom violate their Fourth Amendment protection against unreasonable searches and seizures?

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Petitioner Arguments

MAY IT PLEASE THE COURT. MY NAME IS _____ AND I REPRESENT THE PETITIONER, JACK, WHO ARGUES THAT THE SCHOOL'S POLICY VIOLATED JACK'S FOURTH AMENDMENT RIGHTS.

Jack's Arguments (*against* the breathalyzer testing) include:

1. Breathalyzer testing at the prom is wrong because it invades the student's privacy.
2. The high school prom is a very important event in a student's life. To say that prom is optional is just like saying that graduation is optional.
3. Students are required to take breathalyzer tests without any reason to believe that they had been drinking.
4. Breathalyzer tests are not 100% correct. Therefore, the school might make a mistake and refuse to let an innocent student attend prom.

Try to think of other arguments against breathalyzer testing at prom. Write these arguments on the note pad at your seat.

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Respondent Arguments

MAY IT PLEASE THE COURT. MY NAME IS _____ AND I REPRESENT THE RESPONDENT, WASHINGTON HIGH SCHOOL, WHO ARGUES THAT THE POLICY DID NOT VIOLATE JACK'S FOURTH AMENDMENT RIGHTS.

The School's Arguments (*for* the breathalyzer testing) include:

1. The school is trying to keep all students safe. The breathalyzer helps reduce behavior and safety problems.
2. Students who have been drinking might embarrass or physically hurt other students.
3. Breathalyzer testing is reasonable because the test only requires that a student breathe into a machine.
4. Breathalyzer testing is reasonable because not all students have to do it; only those students who choose to participate in the school-sponsored prom.
5. If all students know that a breathalyzer test will be given at prom, they will have a good reason not to drink.

Try to think of other arguments in favor of breathalyzer testing at prom. Write these arguments on the note pad at your seat.

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Sample Questions for Justices

Questions to ask the Petitioner (Jack):

1. Can't a student who has been drinking hurt himself or others?
2. Is there any way other than the breathalyzer test to determine which students are drunk?
3. Why should Jack's right to be protected from unreasonable searches and seizures be more important than student safety?
4. Are students required to go to prom, or is it optional?

Try to think of other questions for the attorneys who are against breathalyzer testing at prom. Write these questions on the note pad at your seat.

Questions to ask the Respondent (School):

1. Does the school have to have a reason to believe that a certain student has been drinking before that student is tested?
2. Do school children have the right to Fourth Amendment protection against unreasonable searches and seizures?
3. Is the breathalyzer test 100% accurate?
4. Does the breathalyzer test invade a student's privacy? If so, why is that okay?

Try to think of other questions for the attorneys who are in favor of breathalyzer testing at prom. Write these questions on the note pad at your seat.

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Marshal's Script

(You must call Court to order in a very **loud** voice.)

All rise.

Hear ye! Hear ye! Hear ye!

The Supreme Court of Florida is now in session.

All who have cause to plea, draw near, give attention, and you shall be heard.

God save these United States, this great State of Florida, and this honorable Court.

Ladies and gentlemen, the Florida Supreme Court.

Please be seated.

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Chief Justice's Script

The Court is ready to hear the case of Jack Jones v. Washington High School.

Are the attorneys ready to proceed?

Attorneys for the Petitioner may begin.

[When the Marshal calls time, tell the petitioner's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called then you can tell them that they may briefly finish their answer.]

Attorneys for the Respondent may begin.

[When the Marshal calls time, tell the respondent's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called then you can tell them that they may briefly finish their answer.]

Attorneys for the Petitioner may present rebuttal.

[When the Marshal calls time, tell the petitioner's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called then you can tell them that they may briefly finish their answer.]

Attorneys, thank you for your arguments. The Court will announce its decision shortly.

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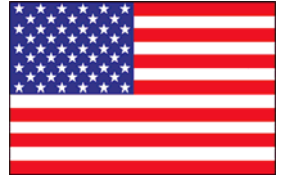
Clerk (place on Clerk's desk)

After the arguments, the Justices will vote on the case. Count the votes for the Petitioner (Jack) and Respondent (School).

READ:

The Florida Supreme Court has reached a decision in this case. By a vote of _____ to _____ the Court rules in favor of the _____.

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Vote Sheet

Votes:

Chief Justice Lewis

Petitioner/Jack

Respondent/School

Justice Wells

Petitioner/Jack

Respondent/School

Justice Anstead

Petitioner/Jack

Respondent/School

Justice Pariente

Petitioner/Jack

Respondent/School

Justice Quince

Petitioner/Jack

Respondent/School

Justice Cantero

Petitioner/Jack

Respondent/School

Justice Bell

Petitioner/Jack

Respondent/School

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Court Decisions

At this time, there is no controlling decision on this case.