

**Constitutional Studies Professional Development Program for Colorado Teachers  
The First and Second Amendments in the 21<sup>st</sup> Century**

Sponsors: Byron White Center, University of Colorado Law School, Center for Education in Law and Democracy (CELD), Ralph Carr Justice Center, History Colorado, and the Colorado Bar Association

**Thursday, June 6, 2013**

**Location:** History Colorado Center, First Floor, Room 149. Please use main entrance on Broadway. Please park at the Cultural Center Parking Complex. The entrance to the parking garage is located on 12<sup>th</sup> Avenue between Broadway and Acoma Streets.

7:45 **Coffee, Refreshments**

8:10 **Welcome**

Jackie Johnson, Center for Education in Law and Democracy  
Melissa Hart, Associate Professor and Director, Byron R. White Center for the Study of American Constitutional Law

8:15 **Why Teach about Controversial Issues?**

Discussing controversies about the nature of the public good and how to achieve it is essential if we are to educate for democracy. Without controversy, there is no democracy. In pairs, write down two key questions you have about gun issues that you would like to know more about by the end of the day.

Jackie Johnson, Center for Education in Law and Democracy

9:00 **Our Nation's Gun Divide: Interpretations of the Second Amendment**

Two scholars will provide participants with a conversation about competing views of the second amendment, including areas of agreement and settled law. Speakers will address both the *Heller* and *McDonald* Supreme Court decisions as well as the historical background and current debates on gun issues.

David Kopel, Research Director, Independence Institute and Adjunct Professor, University of Denver Sturm College of Law

Melissa Hart, Associate Professor of Law and Director, Byron R. White Center, University of Colorado Law School

10:15 **Break**

10:30 **The 2013 Legislative Session: What Policies Are Needed to Reduce Gun Violence in Colorado?**

This past legislative session, a record number of Colorado citizens testified in hearings on several bills developed to curb gun violence. The session included long and often passionate testimony from proponents and opponents of tougher gun legislation. Early indications are that gun issues will continue to be front and center in next year's election.

Moderator: Megan Verlee, Statehouse Reporter for Colorado Public Radio

Panelists: Representative Mark Waller, R- El Paso County; Representative Rhonda Fields, D-Aurora; Representative; Representative Frank McNulty, R- Highlands Ranch; Representative Mike Foote, D-Boulder

Noon **Lunch**

**The Search for Order: Guns in Colorado's History**

From the eastern plains to the western slope, Colorado's early town founders struggled to cope with gun violence in their communities. Participants will have the opportunity to interact with our State Historian about the impacts our state's western heritage and experiences with guns have on current gun violence debates.

Introduction: JJ Rutherford, Director of Education, History Colorado

Speaker: Bill Convery, PhD, Director of Exhibits and Interpretation, State Historian

1:00 **Lesson Demonstration, Legislative Simulation: Guns in America**

Participants will present arguments for and against proposed policies about guns to the chair of the Colorado House Judiciary Committee, Representative Daniel Kagen. Given recent Supreme Court decisions, the public debate on gun laws has moved from whether the Second Amendment confers an individual right to whether a particular law is a reasonable regulation under the Second Amendment.

Representative Daniel Kagen, D-Greenwood Village, Judiciary Committee Chair

2:00 **Assessing Student Learning: The WTP Congressional Hearing**

Why have the battle over gun control and the meaning of the Second Amendment become perennial features of American life?

Participants will use content from the workshop to prepare testimony for the culminating activity for the We the People program, a simulated congressional hearing.

Coaches for small groups: Suzanne deLemos, Mountain Range High School (retired); Edna Sutton, Denver School for Science and Technology; Hugh Miller, Platte Canyon High School; Victoria Bull, Northglenn High School; and Liz Correa, Abraham Lincoln High School

3:30 **Reflection**

Please return to your questions from the morning. What more do we need to learn about gun issues today?

3:45 **Credit and Course Registration**

Barbara Miller, Executive Director, Center for Education in Law and Democracy

4:00 **Adjourn**

**Friday June 7, 2013**

**Location:** Ralph Carr Judicial Center, 2 East 14<sup>th</sup> Avenue, Denver. Please use the 14<sup>th</sup> Street entrance; go through security and meet in the Atrium.

Please use the Cultural Complex Parking Facility. The entrance to the parking garage is located on 12<sup>th</sup> Avenue between Broadway and Acoma Street.

Wireless network: Carr Guest; password is@cce\$\$0123

7:45 **Coffee**

Room 2115, Staff Attorney Conference Room

8:00 **Introduction**

Allison Eid, Justice, Colorado Supreme Court  
Room 2115, Staff Attorney Conference Room

8:15 **The First Amendment: The Basics and Current Trends**

Free expression is the foundation of our democracy. Recent Supreme Court cases—not found in textbooks—on violent video games and videos and protests at military funerals will be used to illustrate the basic framework of the First Amendment.

Helen Norton, Associate Dean for Academic Affairs and Associate Professor of Law,  
University of Colorado, School of Law  
Room 2155, Staff Attorney Conference Room

9:30 **Lesson Demonstration, Interactive Teaching Strategies**

Using the unmarked opinion case study, students are given facts, issues, arguments, and unmarked judicial opinions. They are then asked to select the opinion they agree with and to explain their reasons. Working in small groups, materials from Street Law will provide participants more opportunities to teach First Amendment cases to students.

10:15 **Break**

10:30 **From Tinker to Twitter: What's Ahead for Student Speech?**

Social media provides students a new mechanism for a familiar exercise—an instant forum for personal expression. As always, our courts continue to be asked to balance students' rights to free expression with the school's responsibility to maintain a safe learning environment. In small groups, participants will use precedent cases to decide the outcomes of actual cases involving students recently heard in federal or state courts.

Kathleen Sullivan, Director of Legal Services, Colorado School Boards Association  
Room 2115

Noon **Lunch: Udi's Box lunch provided.** To get to the eating area, return to the public elevator and go down to the 1<sup>st</sup> floor. Proceed through the hallway marked "Clerks Office." The area is half way down that hallway, called the Grand Hallway.

1:00 **Colorado Lawyers' Committee Hate Crime Mock Trial**  
Volunteers from the Colorado Lawyers Committee Hate Crime Task Force visit schools to present a mock trial using a fictional case based on Colorado's ethnic intimidation statute. At the conclusion of the trial, student juries deliberate the issues presented and, with the assistance of an adult facilitator, reach a verdict.

Tarek Saad, Jin, Schauer & Saad LLC  
Phyllis Wan, Hogan Lovells US LLC  
Lucia Padilla, The Sawaya Law Firm

Mock Court Room, 2<sup>nd</sup> floor

2:30 **Break**

2:45 Ralph Carr Learning Center, First Floor off of Atrium

**Courts in the Classroom** is the Colorado Supreme Court and Court of Appeals educational outreach program. The Courts travel to high schools in Colorado to hear two oral arguments involving actual cases. Teachers are provided with background information and teaching materials at a workshop prior to the Court's visit.

Jon Sarche, Public Information Coordinator, Colorado State Court Administrator's Office

**The Ralph Carr Judicial Learning Center** is named for Colorado Gov. Ralph L. Carr, who served as governor from 1939 to 1943. In speaking out against the forced relocation of Japanese-Americans during World War II, he essentially ended his political career. The Center contains interactive exhibits about the Colorado and Federal court systems and the importance of the rule of law.

Daniel Cordova, Colorado Supreme Court Librarian

3:45 **Certificates, Evaluation and Adjourn**