

## You Decide

The first exhibit area in the Visitor Education Center features eight exhibits about 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

### SUGGESTED PRE-TOUR ACTIVITY:

- Elementary student groups should review the “Dressed to Kill” and “The Shot Heard Around Ohio” exhibit information.
- Middle School students should review “Dressed to Kill,” “Search and Seizure,” and “Believe it or Not” exhibit information.
- High School students should review all exhibit information, especially “Search and Seizure” and “Eye in the Sky.”

### The Shot Heard Around Ohio

#### *Zacchini v. Scripps-Howard Broadcasting Company*

Hugo Zacchini performed his human cannonball 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, claiming the station stole his thunder and owed him \$25,000. The news outlet said the U.S. Constitution protected its freedom of expression 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 Old Order Amish faith, Joas Bontrager must wear dark blue or black clothing at all times. While deer hunting, he was cited by an officer of the Department of Natural Resources for not wearing a bright orange hat, vest, or jacket as required by Ohio law. Bontrager argued in court that the law violates his right to freely exercise his religion guaranteed by both 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 1950s 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, Boroff wore a different Manson t-shirt, was sent home, and marked truant each day. His mother filed a lawsuit, 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 and 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?***

**Eye in the Sky**  
***State of Ohio v. Sudinia Johnson***

Based on tips from informants, the Butler County Sheriff's Office suspected Sudinia Johnson of buying and selling large amounts of cocaine. A deputy sheriff placed a tracking device on Johnson's van without obtaining a warrant. Law enforcement tracked the van by Global Positioning Satellite (GPS) to Chicago, where Johnson met with an accomplice. The two men drove separately back to Butler County, where officers stopped and searched both vehicles, found about 15 pounds of cocaine, and arrested Johnson.

***IS LAW ENFORCEMENT REQUIRED TO GET A WARRANT BEFORE PLACING A GPS TRACKING DEVICE ON A VEHICLE? DOES SATELLITE TRACKING VIOLATE PRIVACY LAWS?***

Please note that it is unlikely your guide will review each exhibit with your group. As time allows, guides will build in approximately 5 minutes of free exploration time for you and your students to review the exhibits and read case outcomes. We often have more than one school touring each day (especially in the spring) and generally need to move each group through the entire touring program in a maximum of 90 minutes.

If you would like to receive a summary sheet that includes all case outcomes please inform your guide or email our office *after your tour*. We discourage the practice of asking students to write down case outcomes while touring.