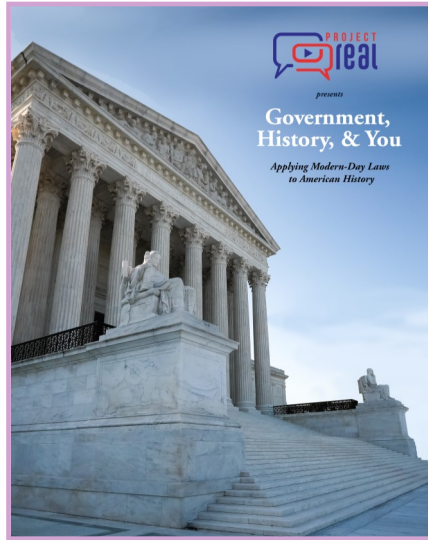




Grade 7 :: Government, History, & You



Class-time: 10-13 periods, as needed throughout the school year.

Topics: 10 eras of American History and more than 200 laws & the consequences of breaking those laws.

Worth noting: Using 3 primer chapters and 10 era-capstone chapters, Project REAL can help your history class review major moments in American history while also helping your students to learn about modern laws, consequences of breaking those laws, and how major events in American history have shaped and influenced the laws we live with today!

For more information or to request a resource, contact our Senior Director at mkamer@projectrealnv.org or 702.703.6529

Or visit:

<http://projectrealnv.org>



Project REAL's *Government, History, & You* Experience Summary

Following over three years of development, Project REAL has created a classroom resource that helps American History teachers instruct their students in laws and the consequences of breaking those laws without diverting from 'must-connect' content-corellations

What is *Government, History, & You* and why did it come about?

Based on our highly successful *Play By the Rules, Government, History, & You* enhances middle school history classes by having students apply modern American laws to events from the eras of US History they're learning about in class. Our non-scolding, non-disciplinarian approach to encouraging law-abiding behaviors continues here in a manner that is highly successful in getting students to pursue law-abiding habits and civically engaged lives.

Since our founding in 2004, Project REAL has envisioned a Nevada where every single student learns about laws and their rights and responsibilities under the law in their classroom in the same way they develop skills in certain core subjects like Reading, Writing, and Mathematics. By developing our material parallel to the Nevada Department of Education's content correlation standards for history and creating an experience that helps students review information they are likely to be tested on, we have created a resource that can begin to make our original vision possible.

It sounds great, but 10-11 chapters of content is a lot when we already have so much to cover....

How am I supposed to fit this in with all my other lesson plans?

On Scheduling - The book does have an 'orientation unit' which consists of three chapters and that should be used early in the school year. These can be covered - and skimmed to some extent - in 1-3 class periods depending on your preference. After that, each chapter provides summary reviews of major events, people, and movements from a unique American historical era. Once your class reaches a certain point in history, you simply schedule a 'break day' to use *Government, History, & You* which serves as both a palette cleanser and a review of the era before you move onto the next one. We've provided a full preview of the first chapter which covers Colonial America and the Revolutionary War as an example.

On Staying On Track with Teaching Standards & Requirements - While working towards your goals of ensuring your students understand and remember the major American Historical points you've been teaching though, we are also serving our own mission by asking students to view that historical information through the lens of modern-day laws. For example, students are asked to evaluate what the minimum and maximum punishments would be - at the state and federal level - if they had joined the Sons of Liberty in the Boston Tea Party, only to have been caught and prosecuted for violating modern day laws.

On Covering Content & Team-Based Learning - While the old 'oral book report' model might not be highly effective for helping students retain information, *History & You* combines that technique with team-based learning in a highly impactful manner. Each chapter's era-review contains 5-10 'topics'. After assigning your class into 5 teams for the year, each team follows a path that ensures they learn about different types of laws, rights, and legal procedures (like criminal laws, how civil courts work, and even laws about school attendance and internet use!). During the first half of the classroom period, all the teams first read an 'era review', and then read at least one of the historical summaries assigned to their team's 'track'. Each summary includes a series of 2-5 questions they work to answer during this time. The second half of the class is used to allow each team to summarize the historical topic they reviewed and the questions they answered.

That sounds like it will help students review the history I'd like them to, but it still seems like a tall order if you expect them to retain all of the specific laws and consequences you hope to have them learn. What then is the point of all of this?

Our goal is not to have students memorize each law and the consequence of breaking it. Instead, we simply want them to develop a few key habits and core-understandings when it comes to American laws. Primarily, if every student walks away from the *History & You* experience having learned to 'think within the context of the law', we've accomplished exactly what we set out to do. The experience blends illustrations of the immense consequences that can result from a single criminal event (like how one incident of theft can result in as many as 10 different criminal charges) with the power of understanding rights and how to properly exercise them.

Ultimately, *History & You* increases the impact and effectiveness of your own time and effort in the classroom! Not only are you helping students to review the lessons you've taught them, you're helping to empower and prepare them for their lives outside the classroom for many years to come!



presents

Government, History, & You

*Exploring American History
in the Eyes of Modern-Day Laws*

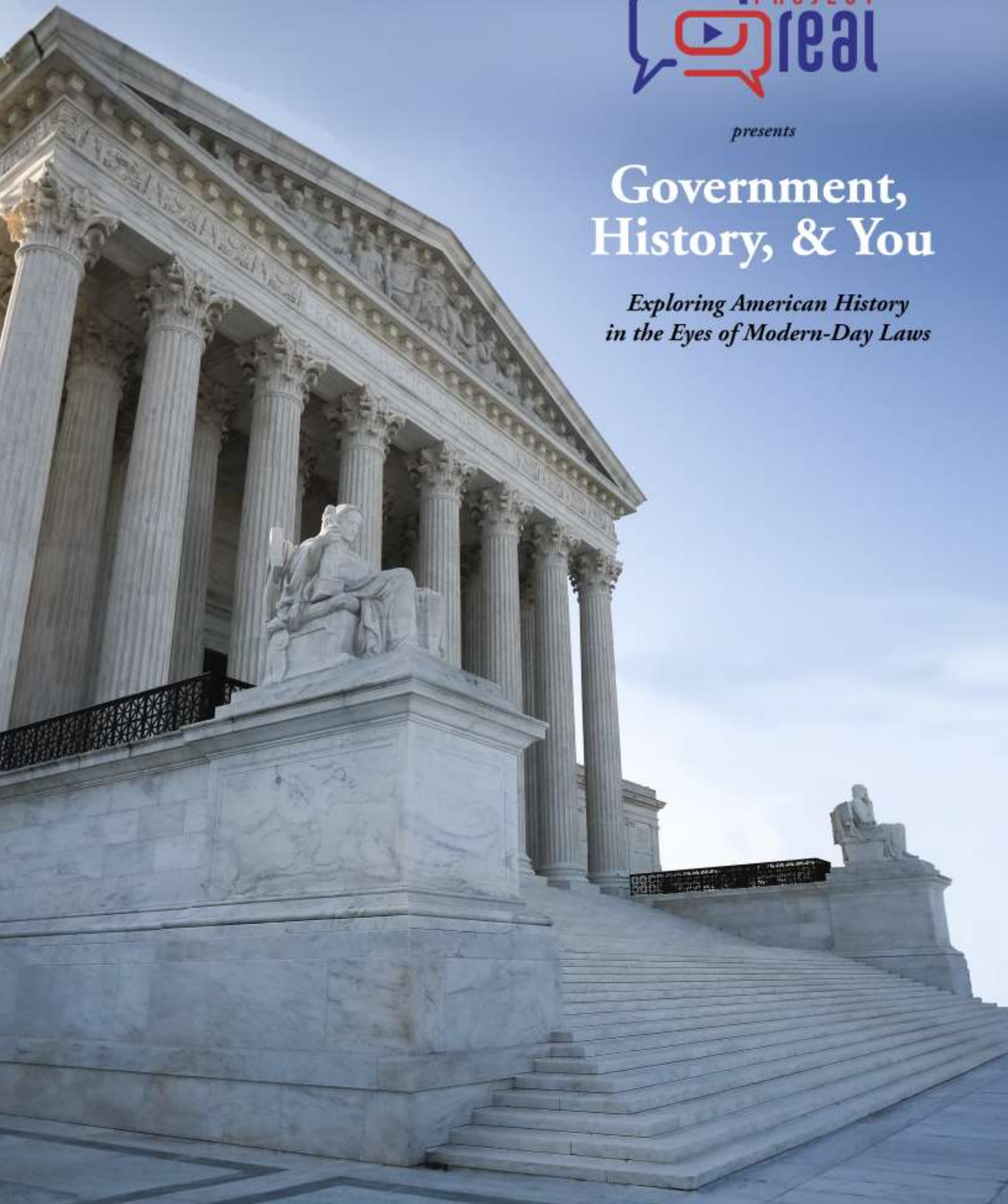


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Section III - Capstone Activities

Activity 1. Historical Mock Trial.....	#
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Use the present to predict the future	
First, have them research (or recap for them) 3-5 laws from the book, and how they came to be	
Then, ask the students to predict what laws will result from the world they live in today.	
Their answer should reflect the examples (ie, child labor banned because work became more mechanized & dangerous)	
Example to use: There were no computer laws, then after computer hacking became a problem, then C.F.A.A. came into being.	

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I – History, Laws, & You



‘American history is longer, larger, more various, more beautiful, & more terrible than anything anyone has ever said about it.’

- James Baldwin,

A Talk to Teachers, circ. 1963

Chapter 1

What's, Why's, & Warming Up



History Shapes Law | Law Shapes History

The history of law is as long as the history of humankind: as long as people have lived around other people, there have been laws.

As humans, our 'history' includes the time our earliest ancestors spent living in caves. Technically, those times are called pre-historic because there is no written record of what happened, but everything that happened did actually occur.

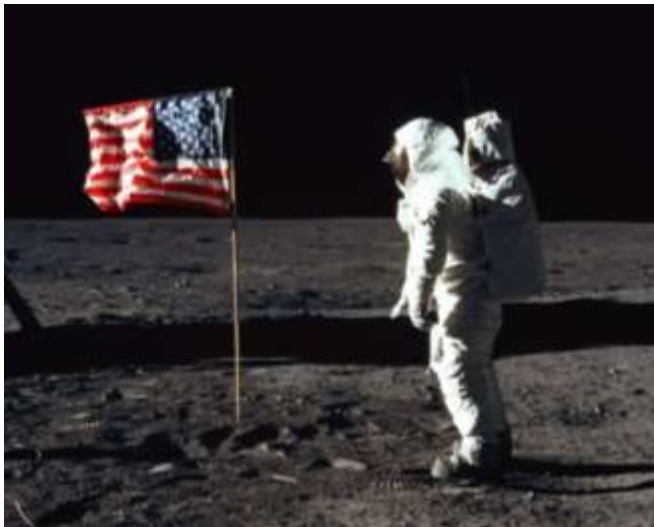
In the same way that those times were prehistoric, there may not have been governments or law enforcement agencies like cave-people FBI or cave-police, but there were unwritten laws among the people that lived together. Prehistoric laws may not have been great for most people. It was likely a case of '**might makes right**' (meaning the strongest person would decide how everyone lived), but it was a form of law that existed. There were rules that a group lived by and everyone had to obey, or they would be punished.

Fortunately for humanity, as prehistory became history and humans developed communities and cultures, laws developed with them. As larger numbers of people began to live together, more guidelines were needed to make sure those communities could grow and thrive. Clearly historic events have helped to shape laws, and laws have helped to shape history.

Think about laws for outer space: who will get to write the laws for the moon? Will it be a private company that sends their own spaceship there? Will it just be the first country that lands there? Will the United Nations get to have total control? Historical events that have not yet happened and laws that will one day be written will decide the answers to those questions.

In **Government, History & You**, you are going to explore some of the people, events, and movements that led to the creation of the modern laws that shape our lives today. You'll also get the opportunity to explore our nation's past through the eyes of modern laws. This experience is all about giving you the chance to review major moments in the history of the United States, while learning about modern American laws.

History and law shape each other, but you may think that that learning about laws is something just for lawyers and judges to do, or that just adults that need to know those things...but you'd be wrong!



Oxygen, Gravity, & You

There are three things in your life that you cannot escape: The gravity that keeps our feet on the ground is one, and the air we breathe that fills our lungs is another. Gravity and air are consistently in your life - they are part of your environment and you would struggle to survive without them.

No matter how important those parts of your environment are and even though they impact every moment of your life, it's not like you spend a lot of time thinking about them, and that's fine! If you take a moment to think about things in your life that are there all the time and shape your ability to live though, laws are in our lives in a similar way, but you *should* think about them.

You might be a student learning about history because of federal policies that encourage certain 'Common Core' lessons. You will also have to learn about specific events and people from history, because your state has laws like NRS 385.014 that empower the Nevada Department of Education to require all students in the state to learn about certain topics that members of the department believe are important for students to know about.

Even if you are lost in a forest filled with bears, there are **laws of nature** (natural conditions that guarantee outcomes of events). These laws of nature will shape your environment and the way you live, but they aren't written down, and there is no enforcement of them beyond the ways natural conditions play out in the environment. In a bear-infested forest, a law of nature in that situation would be the idea that 'might makes right' - meaning if it comes down to you or a bear in a fight, the strongest or the fastest of the two of you will win...yikes!

The point is, some form of law exists everywhere you will ever be. When you wake up, while you're sleeping, and all over again the next day, you will be living under certain laws and legal systems, just like you'll be living with some form of air and gravity in your environment.

Law has a consistent presence like air and gravity, but it requires a lot more attention than those two elements of your life. We don't really need to think about gravity until we're on a hike on the edge of a cliff, and we don't need to tell ourselves 'Breathe in, breath out, breath in, breathe out' ... we just breathe!

In the world we live in most of the time, laws are a part of our environment we *should* think of more often than air or gravity. There are of course the obvious laws like **criminal laws** that establish punishments for when people hurt their community and the people in it, and **civil laws** that create the ability for people to sue each other in court. You may not know the specific laws, but a lot of times you can at least guess they exist and behave in a way that helps you avoid facing punishments for not obeying those laws.

There are also less obvious laws though. Laws are at least part of the reason you're in school! There are laws that restrict what kind of work you can do until you're an adult. When you're an adult, there will **workplace safety laws** that control how safe your workplace has to be and laws establishing a **minimum wage** - a minimum amount of money someone can be paid for work they do. There are even **blue laws** - weird laws from history that were never cancelled so they can still be enforced!

Laws, Responsibility, & You

"Ignorantia legis neminem excusat" is a Latin phrase that explains an idea American legal systems stick to. Translated, it says: *'Ignorance of law excuses no one.'*

What that means is that if you break a law, you are responsible for the consequences of your actions and decisions, even if you don't know about the law you end up breaking.

If there is one BIG theme to this book, it's not about history or any specific American law. It's this:

"Ignorance of the law is not a criminal defense for breaking it."

We hope that by the end of this experience where you will learn modern laws by exploring American History, you'll have learned to "think within the context of the law."

That means that before you borrow someone's expensive gadget, you'll have learned to think about the fact that they could sue you for a lot of money if you break it - even if the device breaking is a total accident.

This same kind of thinking will teach you to stop and think before stepping up to the challenge when your friends dare you to do something funny. You'll be able to recognize that depending on the situation, you might be about to do something that's not just silly, but a crime you could be punished for taking part in.

Speaking of Shapes: Square Peg, Round Hole

Maybe you've heard the phrase "You're trying to fit a square peg through a round hole." It means that someone is trying to force something to work in a way it was not meant to. It also means there is probably an easier or different way to go about things: In this case, there's a good chance you just haven't noticed the square hole the peg is meant to go through.

At first glance, teaching you modern laws by applying them to events in American history could seem just like that: forcing two subjects together when they don't belong.

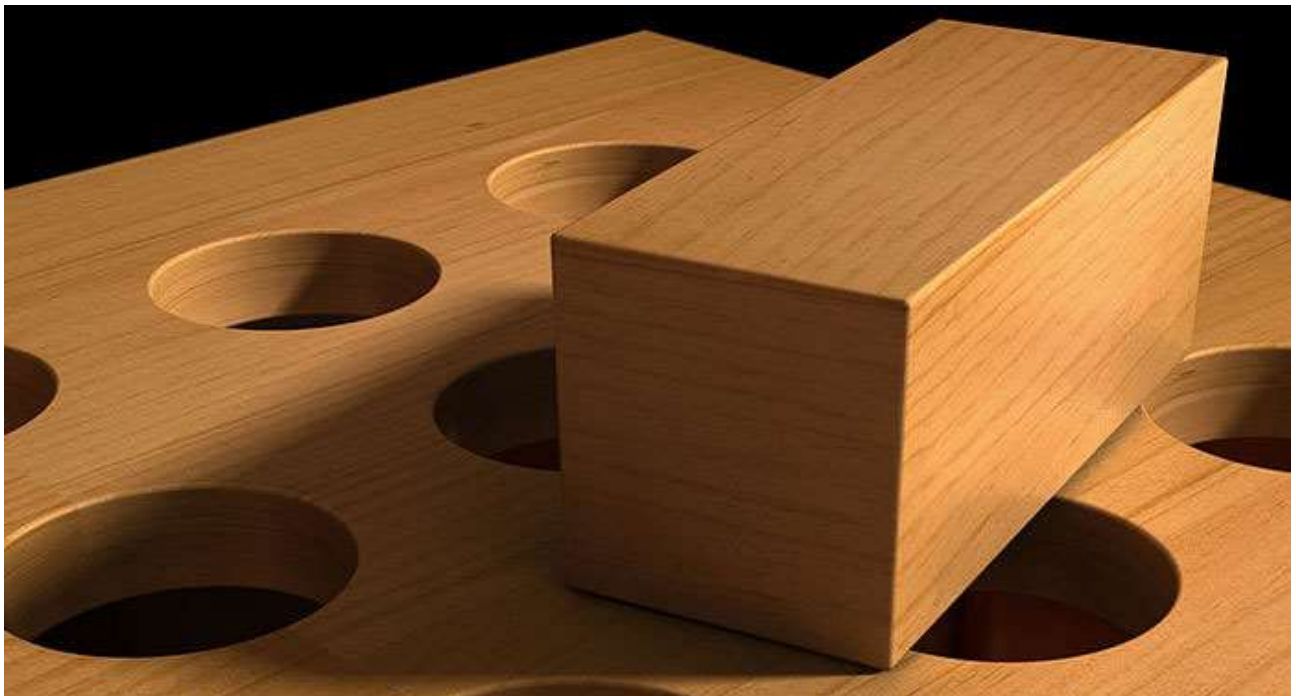
Think about it like this though: Unless you sign up for a special class, you're not going to learn laws in school - no one is really going to teach you the rules! Even though law isn't taught as a subject the way Reading, Writing, and Arithmetic is taught, you are held accountable to the law.

Remember, ignorance of the law is not a defense for breaking it!

In a way, exploring modern laws through US History is our way of helping you - finding a way to teach you information and skills that are important to you now by working through the past!

DID YOU KNOW...!?

In Nevada, it is illegal to measure someone's shoe-size using x-rays!
Why would someone do that?
We have no idea, but according to NRS 202.245, it's against the law in Nevada!



Government, Laws, & You

You've heard of the Constitution of the United States of America and you know the basics – it's a document that 'created' America. That's not a wrong way to think about it, but here's another one:

The Constitution is the foundation for law in America. If there is a law in the United States, no matter what kind of law, the fact that it has any kind of power or influence is because of the Constitution.

All nations of have laws, but America was designed to be a "nation of laws, not a nation of people." Those are fancy sounding words, but what do they really mean?

When people describe America as a nation of laws, they are saying that laws are the highest form of power, and that everyone is equal under the law.

A president cannot have you sent to jail if they don't like something you say. A police officer cannot just search your home because you might be a criminal. You can't become a politician and just do whatever you like after you win an election. Laws say what happens in America, not people. People have to create those laws, but the laws are the final authority in our nation.

Government, History, & You will show you how laws shaped America. You already know what it means for the constitution to be a living document, but this experience will help you better understand that idea. Not only will you learn modern laws, you'll see how they compare to laws of the past, and how those past laws have changed over time.

By understanding the relationship between American laws and American history, you'll develop an understand how to 'think within the context of the law' about your decisions – you'll be able to avoid breaking laws you don't know about.

Getting to the Goal-line

Just by living in the world, you already have a general idea of how things work when it comes to laws and courts: People can sue each other for money! People go to jail for breaking laws! Judges are in charge of courts! You have rights!

That's all well and good, but there is a lot more you need to know about courts and laws – things that can change your life forever! That is why this book will help you learn to *think within the context of the law* while also giving you a chance to learn review some key moments, movements, and people that shaped American history.

By the end of this experience, you will be able to think about a decision you're about to make and realize it might bring consequences you don't want to risk facing (like going to jail or expensive fines).

In order to do that, we can't just start throwing laws and historical events at you! You are going to need to understand some basics about how the law works in America.

Spoiler alert: it's not as simple as "Laws exist, and if you break them you get into trouble." That's why in the next chapter, you'll learn some basic ideas behind American law.



POINTS OF REFLECTION

- *What laws are you already familiar with?*
- *Can you imagine a situation you've been in where you may have already broken a law without knowing it?*
- *What steps can you take as a middle school student to be a law-abiding citizen?*
- *What are some of the ways American history has been shaped by laws that you already know?*
- *Also think about this: In what ways do our modern laws shape events today that will be thought of in the future as 'big moments in American history'?*

Chapter 2

Understanding American Laws & Legal Systems



Courts, Criminal Laws, & Civil Law

You ‘get the idea’ of the difference between rules and laws, but can you put that difference into words? If you’re going to learn how to think about laws, you should probably be able to do that, so let us help you out:

Rules are restrictions on behavior that only apply to certain people at certain times. **Laws** are rules that always apply to everyone equally, all the time, unlike rules which only apply to some people in some situations at some times.

A law against murder says a person in a city is never allowed to kill someone else in that city just because they want to: that is true for everyone in that city, always. A rule in soccer says “You can’t use put your hands on the ball unless you’re the goalie,” and that is only true for people playing soccer, while they’re playing soccer, sometimes (if the ball goes out of bounds, they can also use their hands to throw it back in).

If you’ve ever been sick and stayed home from school, there’s a good chance that flipped through TV, or watched whatever your parents had on. If you have, you’ve probably seen shows with an angry judge yelling at two people in a courtroom while they fight with each other over money.

Sick or not, you’ve definitely seen someone accused of a crime in a courtroom. Maybe it was in the news, in a movie, or even in a cartoon, but you’ve certainly seen a few scenes representing someone on trial, having been accused of a crime.

A **court** is a system or place that prevents conflicts and creates fairness in a community. It does this by being a place where questions about disagreements, behaviors, and events that have taken place in the community are answered. In answering those questions, courts make sure the laws of the community are used in reaching conclusions for each question being considered.

There are many different types of laws and situations that cause people to go to court, but they all come down to **liability**– the behavior that each person has a legal responsible for. You have liability for your behavior. For example, if you do something bad, you will be punished for it. If you don’t think about your actions and those actions cause someone pain, you may have a legal liability, or responsibility for causing that pain, even if it was an accident.



The two most common types of laws that people have legal responsibilities for are criminal laws and civil laws. Criminal law and civil law are **bodies of law** – a fancy way to say all of the laws that can be collected as a certain ‘type’ of a law.

Criminal law is the body of law that restricts behaviors and actions that a community wants to prevent. Examples of behaviors a community might not want are murder or property destruction (lets be honest, pretty much no community wants that!). People don’t want to live in a community where anyone can just show up to their house and murder them or burn their house down, so criminal laws are written to stop people from doing that. Criminal laws don’t just restrict unwanted behaviors in a community. They also set the punishments for when someone has **committed a crime** by not obeying the restrictions set out in the criminal law.

An example of a criminal law would be one about **robbery** – the act of taking property by using or threatening violence. These laws restrict one person from taking another person’s property. Those same laws also say in what ways a person that commits robbery can be punished, and how much they can be punished for that type of crime. Criminal laws exist to guide people’s responsibility for their behaviors in ways that shape communities. These laws create accountability for the people who live in a community and the people who are just visiting it.

Civil law is the body of laws that help manage disagreements between people. You might be thinking ‘wouldn’t one person robbing another person be a kind of a disagreement?’, and you’d be right. The difference is that civil law is generally about people’s accountability to each other rather than to their community at large (though the government can use civil courts to sue companies that commit certain civil infractions like violating environmental laws or business laws).

MEMORY TRICK!

If all of that sounds confusing, think about it like this:

Court is kind of like a story-telling sport. There are two teams, and whichever team tells the story that is believed is the winner. When there are criminal law cases, the government is on a team playing against people accused of crimes (and their lawyers) on the other one. When there are court cases that deal with civil law, both teams have people playing against each other.

Criminal Law is Government Vs People
Civil Law is People Vs People

Criminal law is the government going against people in court. Civil law is when people go against other people in court

Misdemeanors, Felonies... & Math?!

Obviously when someone commits a crime, they risk being punished for whatever number of laws they broke. Sticking with the car-theft example, that could be at least two crimes just in Nevada!

- Breaking into the car might be considered 'burglary'
- Stealing the car is 'grand larceny', or as some of you young gamers might refer to it, 'Grand theft auto'.

But wait, there's more! If you drove the car from Nevada to California, you could face charges in Nevada state court, but also in federal court since you crossed state lines with the stolen vehicle! It doesn't have a fancy name like Grand Theft Auto, but trust us... you do not want to be in a federal courtroom facing charges of 'Criminal possession of stolen property'.

Better yet, don't trust us. – trust yourselves

We're going to revisit the idea of stealing a car in the next chapter, but for now, consider that of the crimes above, they could be classified as felonies or misdemeanors, and they might be charged at the state and the federal level!

Each state sets their own laws about what is a crime, and they set their own punishments when they do that. The federal law has the same punishments no matter what state your crime takes place in. Let's take a look at two scales of punishment - the Nevada scale and the Federal scale:

Nevada Crime Classifications & Penalties

Nevada Crime Classifications & Penalties		
Crime	Fine	Sentence
Felony, Category A		25 years - life with no chance of parole; possible death sentence
Felony, Category B		1 – 20 years in prison
Felony, Category C	\$10,000 or less	1 – 5 years in prison
Felony, Category D	\$5,000 or less	1 – 4 years in prison
Felony, Category E	\$5,000 or less	1 – 4 years in prison
Gross Misdemeanor	\$2,000 or less	No more than 1 year of incarceration
Misdemeanor	\$1,000 or less	No more than 6 months of incarceration

Federal Crime Classifications & Penalties:

Federal Crime Classifications & Penalties		
Crime	Fine	Sentence
Felony, Class A		Life with no chance of parole; possible death sentence
Felony, Class B		25 years – Life in prison.
Felony, Class C		10 –25 years in prison
Felony, Class D		5-10 years in prison
Felony, Class E		1 – 5 years in prison
Misdemeanor, Class A		6 months – 1 year in prison
Misdemeanor, Class B		30 days – 6 months in prison
Misdemeanor, Class C		5 – 30 days in prison
Infraction		5 Days or less (when authorized)

Chapter 3

Getting Ready



A Look at What's to Come

Throughout your Government, History, & You experience, we will ask you to apply the math of modern laws to events in American History. This will help you do two things.

First, it will help you review the historical eras you've been studying in your history class, and learn a bit more about them. Second, it will help you to learn about modern laws that you are responsible for following today.

Before you jump in to charging George Washington for criminal acts because he chopped down a cherry tree, we should probably start with how the law works normally – in modern times. To do that, let's revisit the idea of stealing a car from the last chapter.

Grand Theft Auto, The Law, & You

In the last chapter, we worked to help you understand the general idea that a criminal incident rarely means a person will be charged with just one crime, or that they will only face consequences in a criminal court. Let's first start to prepare for your Government, History, & You lessons by exploring those ideas here.

Imagine you are a prosecutor and the case from earlier with the speeding grandma comes across your desk. Here are the facts you discover:

- 1) The grandmother was driving 89 miles per hour in a community where the speed-limit was 45 miles per hour.
- 2) The grandma never had a criminal record before.
- 3) When the police used their computer to look up the license plate, they saw the car had been reported stolen.
- 4) The car was a 2020 Tesla Model –S (so at least she was being environmentally conscious!), and at the time of the incident, the car was valued at \$74,990
- 5) When the car was pulled over, the police noticed that a window was broken, and there was broken glass inside of the car. The cost to fix that will be at least \$1,600.
- 6) The grandmother also had four of bottles of pills in the car, each with her name on them.

On the right side of this page, you can see a small table of laws. These tables will appear at the end of each chapter. Sometimes, all of the laws will apply to the questions you are given. Other times, we have thrown in extra laws. This might seem frustrating, but we're not trying to confuse you – this will help you stretch your brain to see how laws really work!

Nevada Crime Classifications & Penalties		
Crime	Fine	Sentence
Felony, Category A	-	25 years - life; Also possible: death sentence
Felony, Category B	-	1 – 20 years in prison
Felony, Category C	\$10,000 or less	1 – 5 years in prison
Felony, Category D	\$5,000 or less	1 – 4 years in prison
Felony, Category E	\$5,000 or less	1 – 4 years in prison
Gross Misdemeanor	\$2,000 or less	No more than 1 year of incarceration
Misdemeanor	\$1,000 or less	No more than 6 months of incarceration

Example Crime Classifications & Penalties		
Keyword	Summary	Codification
Burglary of a Vehicle	Category E Felony	NRS 205.060
Theft of a Vehicle	Category C Felony	NRS 205.228
Burglary with a firearm	Category B Felony	NRS 205.060 (5)
Invasion of the home, including vehicles	Category B Felony	NRS 205.067 (3)
Trespassing	Misdemeanor	NRS 207.200
Theft, \$0 - \$1,200	Misdemeanor	NRS 205.275 (2.a)
Theft, \$1,200 - \$5,000	Category D Felony	NRS 205.270 (2.b)
Theft, \$5,000 - \$25,000	Category C Felony	NRS 205.270 (2.b)
Theft, \$25,000 - \$100,000	Category B Felony	NRS 205.270 (2.b)
Reckless driving, no death	Misdemeanor, with <i>at least</i> a \$250 fine	NRS 484B.653
Reckless driving, resulting in death	Category B Felony	NRS 484B.653
Evasion of Arrest with dangerous driving	Misdemeanor	NRS 484B.550
Evasion of arrest with no dangerous driving	Category B Felony	NRS 484B.550
Unlawful use of medicine	Misdemeanor	NRS 435.411
Property Damage, \$25 - \$250	Misdemeanor	NRS 206.310 NRS 193.155
Property Damage, \$250 - \$5,000	Gross Misdemeanor	NRS 206.310 NRS 193.155
Property Damage, \$5,000 or more	Category C Felony	NRS 206.310 NRS 193.155

One Troubled Grandma: Do The Math

If the story about Grand Theft Auto Grandma (who we will be calling GTA-Grandma from this point on) had been told in a chapter of this book, you might be asked to determine the least and greatest punishments she could receive, based on the information we'd provided in the chapter, and any previous laws you had learned.

For now though, let's just keep imagining you're a prosecutor, and it's your job to do this. The best way to tackle the question, is to examine each of the facts about the story, and then check the charts to see how they line up.

So let's look at the first one: Grandma was going almost twice the posted speed limit. Even if that was going ten miles per hour in a five miles per hour zone, going double the speed limit seems dangerous – there has to be a reason the speed is set at a certain limit, right? Well, if we look at the chart, we find that 'reckless driving *without death* is a misdemeanor, but there is a special condition: it says that GTA-Grandma *must* get at least a \$250 fine if she is found guilty, even when other misdemeanors can have no penalty!

So far, we can see that this GTA-Grandma is facing *at least* a \$250 and at the most, a \$1,000 fine and up to 6 months in prison. Obviously, that doesn't sound pleasant - but wait - we're just getting started!

The second note in your file says the car was stolen! That means we need to charge GTA-Grandma with, well, Grand theft Auto, or as Nevada calls it "Theft of a Vehicle." This second note means GTA-Grandma can also be charged with a Category C Felony.

After combining it with the previous charge, that brings her minimum punishment to at least a \$250 fine and at least one year in prison, and her maximum punishment to \$11,000 in fines and up to a 5 years and 6 months in prison! Grandma's future isn't looking so great, but wait – there's even MORE!

Your third note mentions the car was a Tesla with a value of \$74,990 - very fancy! Also? Very troubling for GTA-Grandma! Looking at the chart, we see people that steal things with a value of \$25,000 - \$100,000 have committed a crime that is charged as a Category B Felony. Adding that to GTA Grandma's total... and now she's facing a \$250 fine and two years in prison as the smallest possible punishment – and that's if she's lucky!

We think you get the idea, so now let's look at some of the things you should look out for. You might have forgotten to also charge Grandma with property damage, but since the window was broken and cost \$1,600 to repair, that would have been a Gross Misdemeanor. The broken window is a sign she had to break into the car to steal it, so that adds burglary of a vehicle – a Category E Felony. GTA-Grandma is racking it up!

We also included some extra charges on the chart, and we do that in the book to make sure you're really thinking about your answers: There was no note about Grandma fleeing the police, so she wouldn't face a charge like that. The pills turned out to be hers – the bottles had her name on them, so she was allowed to have them and not breaking any laws.

Grandmas, George Washington, & You

Now you have a clear idea of how quickly criminal charges stack up. Let's use and the same tables from the previous exercise to practice for some of the questions you'll encounter later, when you are reviewing different eras of American History.

Have you ever heard a story about the first President of the United States – George Washington – and a cherry tree? As the story goes, when George Washington was a child he took an axe and cut down a cherry tree.

Look, that might not sound all that exciting or normal or make much sense, but this was Colonial America before the Revolutionary War! What else was a child going to do? They didn't exactly have Playstations and X-Boxes, and you can only run around in a field for so many hours before you get bored. If you were alone and stumbled across an axe and a tree in Colonial America, and you were 6-10 years old, you'd at least be tempted, right?

Well according to the story, long before he was president the young George Washington cut down that tree. In the story, the tree belonged to his father and when his father confronted him, young George said "I did it, I cannot tell a lie". The father was so impressed by his son's honesty that he forgave him, and everyone lived happily ever after.

The only problem is, that *story* is a lie – it was created by an author who wrote a less-than-true biography of George Washington after his death. The author – a man named Parson Weems – just wanted people to know how great George Washington was a person. He thought telling a story about Washington being a particularly honest child would help them see that, so he made the story up.

Now that you've had that history lesson, let's consider what charges the young president would have faced if he *had* chopped that tree down. Here's the catch, let's imagine he did it in the year 2021!

Let's assume the tree was three years old. If we do a bit of searching, we can find that three year old cherry trees cost around \$150. It turns out chopping down a tree might not be a huge crime...but it is a crime! In 2020, the future President Washington (or is it past president?) would be charged with a misdemeanor. That means he could be fined up to \$1,000 *and* have to spend six months in jail. Why? Because he was bored and made a dumb decision.



If we need pictures of GTA Grannie, we have pictures of 'a' GTA Grannie.

SECTION 2

American History & Modern Laws

Exploring the Past, Understanding the Present

CHAPTER 4

Colonial America & The American Revolution



On The Era

Colonial America & The British Actions that Led to Revolution

The first people from Europe that planned on living in what would become the United States of America arrived in 1607. They founded the first American settlement of Jamestown in the colony of Virginia. French, Spanish, and English people continued establishing colonies in North America. With the British continuing to establish colonies until 1732, when Georgia became the last of the original 13 British ones that would eventually form the United States of America.

Immigration to the American colonies forced confrontations between settlers and tribes of Indigenous American people who had been living in the land being colonized for thousands of years before the European colonists arrived. What started with small fights between these groups persisted until tribes allied themselves with either the French or the English in the French-Indian War (1754-1763). After the war, violence against **Indigenous Americans** would continue to escalate, ultimately resulting in the decimation of indigenous people by the new nation of the United States of America.

For all the tragedy and hardship involved with the development of the English colonies, these were actually exciting times for the colonists. People traveled across the Atlantic Ocean for a wide range of reasons. The Puritans came seeking a place where they could practice their religion without fear of facing **persecution** (meaning they were treated badly by people in England that weren't members of their religion, and they didn't want to deal with that anymore). Others colonists came for the promise of opportunity: cheap land, gold, and adventure.

While they came for different reasons and places, the original 13 colonies were all British property, which meant they were the property of the king of England. That meant two things: (1) the colonists were only there because the king allowed them to be on his property, and (2) since it was the King's 'property', he could do whatever he wanted with it (that's how kings work).



The king decided he wanted to turn ‘his’ 13 colonies of property into a money-making project. Instead of charging people money to live there like a landlord though, he would just force them to buy products he would make money off of, and force them to pay taxes that would send money back to England.

Colonists could have their adventures, opportunities, and freedoms from daily life in England... but they would have to pay for it! This view of the colonies as a tool for profit is why we have America today. It all came down to money.

In the 105 years between the founding of Jamestown in 1660 and the start of the American Revolutionary War in 1765, England passed many laws that allowed them to take money from the colonists in different ways. These laws created or changed **taxes**, which are extra amounts of money people are forced to pay in order to buy or own certain properties and privileges. The idea behind taxes is that they create money for the government to spend supporting the community, but the tax dollars taken from the American colonists were not being used to better their lives. Instead, that money was just being used to help British companies and people get more wealthy back in England, and the English government was greedy.

For example, a series of laws called the Navigation Acts were created in the 1650s and 1660s. These laws ordered the colonists to only buy products from English companies, even though they had before been able buy the same goods from French or Dutch companies for a cheaper price. Then in 1750, the Iron Act limited the colonists’ ability to create their own products from iron, and made it illegal for them to sell any iron goods they made to anyone that wasn’t from England.

The following decades saw the Currency Act which prohibited colonists from making their own paper money, the Sugar Act

which made any item coming from a country other than England a lot more expensive, the Stamp Act that added a tax to paper, and the Townshend Act which taxed many other different items including tea. Each of these decisions by the British government was aimed at making money for England and English companies, but led the colonists to question what they were getting out of the deal. They were giving all this money to England, and not seeing England do much for them!

As American colonists began to get angry about this treatment, they decided that if they were going to be taxed, that they should have a representative in the British Parliament (which is where the taxes were being made into laws). When the English ignored the American Colonists’ request for representation in their government, the colonies resisted in different ways.

These acts of resistance were seen as acts of rebellion by England, and led to the passing of even more laws by the British. The new laws were so harsh that they became known as the Intolerable Acts, and they were not about collecting taxes! One of them took away the Massachusetts colonists to participate in their local government – only people appointed by England had any say in how the colony was run. Another one of the acts forced people to let British soldiers stay in their homes, and they had to feed the soldiers that stayed there – even if the family who owned the home was poor!

The British refused to compromise with the American colonists: as they saw it, they had every right to do whatever they wanted because their King said it was ok. That only made the Americans more frustrated at what was clearly unfair treatment. That anger and frustration would eventually lead to the beginning of the Revolutionary War. What would start with The **Battle of Lexington** in 1775 would end with global acceptance of the United States of America as a new nation when the Treaty of Paris was signed in 1783.

MAJOR MOMENTS OF THE ERA

1620 Mayflower Compact signed

First formal document outlining governance that was drafted in the New World. It is an agreement between the settlers of Plymouth Colony.

1607 Settlement established at Jamestown

Founding of this town marks the first permanent presence of the British in North America.

1676-1677 Bacon's Rebellion

1692-1693 Salem Witch Trials

1718 Blackbeard's Blockade of Charleston

1770 The Boston Massacre

A riot in Boston that ends in the deaths of several colonists. It sparks outrage that pushes the patriots toward Revolution.

1773 The Boston Tea Party

1774 Meeting of the First Continental Congress

Delegates from the colonies meet in Philadelphia to discuss resistance to the passing of the Intolerable Acts.

1775 Battles of Lexington and Concord

First shots of the American Revolution are fired in Massachusetts.

1776 Meeting of the Second Continental Congress

Delegates from the colonies adopt the Declaration of Independence, and appoint George Washington commander of the Continental Army.

1783 Treaty of Paris ends the American Revolution

The United States of America is recognized as an independent nation.

Bacon's Rebellion

In Virginia during the 1670s, local disagreements created an opportunity for **rebellion** – an event that occurs when a group of people fight against their leaders. These rebellious feelings created fighting in Colonial America nearly 100 years before the Revolutionary War would take place between the people known as **Patriots** who wished to be free from British rule and the English forces and **British loyalists** who were colonists that wanted to remain under British rule. The disagreement stemmed from differences between the wealthy plantation and poor farmers of 1670's Virginia.

Falling tobacco prices and challenges with the weather impacted the poor much more than the rich, which caused further tension between these two groups. At the same time, settlers continued to move into Native American territory which caused tension with local tribes. As the poor tobacco farmers became more desperate to survive, they began to feel that the local government was too focused on protecting the interests of the rich.

Nathaniel Bacon was a member of the wealthy upper class with important connections. After he moved to Virginia from England, he clashed with a man named Sir William Berkeley. Berkeley was the governor of Virginia and a relative to Mr. Bacon by marriage.

The disagreement between the two men was mostly about the colony's policy on dealing with Indigenous Americans. As Governor, Berkeley oversaw laws that – in order to maintain peace – restricted how much of the lands that were used by Indigenous Americans could be claimed as property by Virginian colonists. Bacon was opposed to those restrictions. He thought the poorer colonists deserved a lot more opportunity to expand into new territory (so they could get richer). Bacon's beliefs drove him to get a bunch of poor farmers together to go with him and cause trouble for the plantation owners and Indigenous Americans in the area 1776. Today, getting a group of people angry and excited in a way that ends with that group hurting other people or destroying property as a group is a crime known as **provoking (commission of breach of peace)**.

Though he was from a different social scene and a lot richer than any of them, the poor farmers of Virginia chose to follow Bacon in what would become known as **Bacon's Rebellion**. The rebellion began with the Bacon and the farmers attacking peaceful natives. Those attacks caused violent outbreaks between Indigenous Americans - who thought all Virginians were attacking them - and Virginian colonists who wanted nothing to do with Bacon's Rebellion. That was the exact kind of violence the Governor had been trying to avoid by restricting the expansion of the colony!

In modern law, getting a group of people together to break the law in a way that is meant to cause chaos the way Bacon was doing is called a **riot**. Since Bacon and his rebels had a common cause (they wanted more land to farm on) they would also be found guilty of a similar crime called a **riot** (which is basically a riot when all the people rioting are doing it for the same reason).

In their routing, Bacon's group made things worse after attacking the Indigenous Americans in the area. Governor Berkeley was not going to change the rules about how much land the colonists could use, so the rebels remained angry. They reacted by staging raids on the plantations of wealthy Virginians. The rebels committed many different types of **theft** crimes during their raids by stealing from all the properties they raided. They were taking the property from the homes they were breaking into which made them guilty of **burglary**, and since they used violence and threats to steal from the people in the plantations that fought back, they were guilty of **robbery**.

Stealing property and attacking the people living on the plantation wasn't all the rebels did – they were also intentionally destroying the homes and crops on the plantations. Today, we would say they were committing many different kinds of **property destruction** crimes (for example, intentionally breaking property that doesn't belong to you is a crime of **vandalism** – and that's just one of the crimes they committed).

The fighting between Bacon's poor farmers and Governor Berkeley's forces of rich plantation owners and members of the British military intensified until September 19th, 1676, when Bacon's men—numbering in the hundreds—marched on Jamestown and burned it to the ground. Bacon and his rebels had captured the capital of Virginia. Then out of nowhere, the tide turned when Nathaniel Bacon died after on October 26th, 1676 after getting sick with a fever.

With Bacon dead, the rebellion fell apart – the farmers lacked the education and leadership skills of their rich leader, and it showed. They were quickly defeated and captured by Governor Berkeley and his forces. Berkeley gave 23 of the rebels a **death penalty** and had them hung for their participation in the raids – a punishment much harsher than what the rebels would have faced if they had caused all of their trouble in today's world.

Bacon's Rebellion did not succeed immediately, but it caused fear of the colonies as one of the first major uprisings by settlers in the New World. The conflict illustrated angry feelings about the economy among colonialists that would continue to grow. Those attitudes would eventually contribute to the outbreak of the American Revolution.





Doing the Math – Bacon’s Rebellion

In 1676, 23 of the hundreds of rebels were punished with a death penalty. If Bacon’s Rebellion happened today, the punishment would not be that severe, but anyone caught would face a lot of time in prison. They might even have to go to prison twice, since both government property and private property was destroyed in the rebellion. To get a better idea of the consequences for this type of behavior, let’s do the math to see what kind of punishments Bacon and his rebels would face today:

Starting with federal consequences, inciting a riot is punishable under federal law by a fine, up to five years in prison, or both, but these laws are only applied to people who cross state lines. That means Bacon would not face federal charges for incitement of a riot. Bacon would not be the only one to face these charges if they had crossed state lines though: anyone that recruited people to the rebellion would have also faced charges of incitement!

All participants could also be charged with destruction of federal property – they burned down an entire settlement so we can imagine some of that was federal property. The consequences for damage costing more than \$100 to repair is up to \$250,000 in fines, and/or up to 10 years in jail.

Moving on to state laws, in Nevada incitement of a riot can lead to a lot of different charges! Provoking a breach of peace is the charge for starting a riot by getting people to join you in destructive behavior. That crime is a misdemeanor. Riot and rout are two different but related charges but they also apply here. If two people meet with the intention taking part or starting a riot, that is misdemeanor routing. If they actually engage in violence and destruction like Bacon and the rebels did, that is rioting and another misdemeanor charge they would face.

The intentional burning of buildings or property to cause harm is considered first degree **arson**, and that is exactly what Bacon and his crew did when they burned down Jamestown. Arson is a Category B felony with a consequence of 2-15 years-long prison sentence and a possible fine of up to \$15,000. Bacon and his rebels also burned

crops during their riots and routing, and Nevada treats burning crops and lands as a separate crime of third degree arson which is a Category D felony.

Destruction of private property is categorized depending on the cost of repair. If more than \$5,000 worth of damage has been done, as would have been the case in Bacon’s Rebellion, it’s a Category C felony.

Nevada law also treats destroyed crops and trees as a separate charge of property destruction, and since it would have been more than \$5,000 in crops that were destroyed that would have been another Category C felony charge!

Just looking at the criminal consequences though, the rioters would have faced federal property destruction charges. In their best case scenario, they would be left off with a warning since there is no minimum punishment. In the worst case scenario though, they would be fined \$250,000 after having to spend ten years in federal prison!

The rebels would not just be facing federal charges though! Looking at all of the state crimes listed above, it seems that each rebel would be charged with 3 misdemeanors, 1 Category D felony, 2 Category C felonies, and 1 Category B felony. Assuming the rebels were charged and found guilty of having committed all of the charges we listed, what kinds of consequences would they face?

Doing the math, it seems the best case scenario would have each rioter spend no less than 4 years in prison, but would manage to get away without paying any kind of fine. That would be *very* generous of the judge. More likely, the rebels would face the maximum possible penalties of 34 years in prison, and \$25,000 in fines!

Even if the rebels managed to avoid state and federal prison, all of the people who had their property damaged could sue the rebels in civil court! That could happen even if the rebels were in jail, meaning after they spent ten years in federal prison, 34 years in state prison, paid \$35,000 in state and federal fines, they still would have had a lot of money to pay to the individual victims.



Salem Witch Trials

From February of 1692 until May of 1693, a series of trials took place in Salem, Massachusetts which left 25 people dead after they were accused of witchcraft. These events came to be known as the **Salem Witch Trials**. What started as two young girls behaving in strange ways quickly escalated. Over 200 people during that time—mostly women, but some men—were accused of practicing witchcraft.

Salem was a town in the British colony of Massachusetts. The colony existed under British rule and law, but the colony leaders had a lot of control over what laws were in place and how they were enforced because they were so far away from England.

Fear of witchcraft had spread through Europe for centuries before the 1690s, so a fear of witches in the community wasn't exactly a new event: it was just the first time it had happened in America – far beyond the reach of strong government controls. That distance allowed for Salem's leaders to decide to treat witchcraft in the community like a legal problem when two girls began claiming to be possessed by demons and blaming other townsfolk in January of 1692.

Even though many of the colonists had fled from religious persecution in England, their communities still held strict legal statutes based upon their faith. **Legal statutes** are types of laws that are created by governments, and early colonial statutes included references to books and verses of the Bible – they were not the laws we know as American laws today. With this dependence on religion, superstition was common and it managed to influence the Massachusetts colony's legal system.

Between January and June 1692, many people in the colony began accusing each other of witchcraft. Those many accusations and the long-held superstitious beliefs about witchcraft in the community drove the colony's leaders to hold trials in an effort to put a stop to the 'witchcraft'. The problem was that all of the claims about witchcraft were just made up by people who were superstitious, mad at their neighbors, or trying to get themselves out of trouble.

It was not until 1693 when the people of Salem realized the whole situation was out of control and ended the trial. By that time, over 200 people had been accused of witchcraft, 30 were found guilty, and 20 had died. Many of the accused had been allowed to live, but only if they claimed to be guilty and agreed to name other people in the community who they 'saw practicing witchcraft'. Basically, the only way to save their own lives was to endanger the life of someone else! This is why some people refused to plead guilty even if they knew they could save their lives – they did not want to be responsible for the death of innocent people. One of the 20 people killed during the trials died from heavy stones placed upon him when he refused to plead guilty or innocent. The remaining 19 (four men and fifteen women) insisted they were innocent. Their reward was to be executed by hanging.

The events in Salem were driven by **hearsay**, which is unverified information provided by someone not present. In modern American courts, witnesses cannot testify to things they did not hear directly. For example, if you heard from your friend Mary that their friend Joe confessed to a crime, you would not be allowed to go into court and testify that Joe committed the crime. During the witch trials, that was not the case. Hearsay is usually **inadmissible** (not usable) in American courts of law since there is no way to prove that the statements being given are factual. At the time of the witch trials in Salem however, the legal system was very basic so hearsay was considered an acceptable form of testimony. These trials took place well before America was a country with written laws, so there was no freedom to be a witch.

Various individuals later apologized for their roles in the Salem Witch Trials. In 1702 a general court stated that the trials had been unlawful, but no one individual was punished, even though 20 people had died! Eventually, the town of Salem would end up paying money to the families of people that died or were jailed during the time of the witch trials. In 1957 the state of Massachusetts issued a formal apology. Today, the term **witch hunt** is used when a person or group of people is publicly accused of or blamed for wrongdoing with little or no evidence.

Due Process, Burden of Proof, & the Salem Witch Trials

When the witch trials were taking place in Salem, anyone accused of witchcraft was assumed to be guilty and had to prove their innocence. One way they could prove their innocence was by a test: An accused witch would be tied up and thrown into a body of water. The people of Salem thought that if the accused floated, they were guilty, and if the accused person sunk, they were innocent. These accused witches had ropes tied to them so they could be pulled out before they drowned, but accidental deaths were still possible. The reason for the test had to do with a religious practice called baptism where people are dunked in water as a kind of protection spell in certain faiths. The people of Salem thought witches couldn't still have their baptism protections working, so they would have floated to the top because the water was 'rejecting' the witch.

Today, things work differently in the American legal system so the courts view a person accused of a crime to be innocent until proven guilty. That means they are not to be treated like criminals or have their rights taken away in the court, and that the prosecution must prove the person is guilty beyond a reasonable doubt. This idea of proving someone guilty beyond a reasonable doubt is called a **burden of proof**.

The modern American legal system works very differently, because we have a system that gives due process under the law to any defendant accused of a crime (as explained in Chapter 2). That means you can't be punished for a crime unless you are found guilty of it, and that certain processes need to be followed to make sure your court cases is fair if you need to have one.

The idea is that if you have to go to any type of court to defend yourself, you will have a fair chance to do that. The concept of due

process also involves the 5th Amendment in the Bill of Rights outlining how court cases are to be handled and what someone facing charges is entitled to by law: the right to not self-incriminate (meaning you do not have to say anything that will get you into more legal trouble), double jeopardy (you cannot be tried for the same crime again if you were found innocent the first time), and the right to have trial by jury in criminal cases.

Modern due process requires a defendant to be notified of a trial they are defendants in – they cannot be found guilty in a secret trial and then punished without first having a chance to defend themselves. They also have opportunities to speak to a judge before their trial even begins. A **legal team** is made up of a defendant and the lawyer or lawyers that represent them, and that team can try to convince a judge charges should be thrown out if the evidence is weak. Even in family court where things get emotional and difficult, due process exists: both parents get to speak, and sometimes the kids get to speak too if they're old enough.

Due process is the biggest difference between the legal system during the Salem Witch Trials and today. Back in 1692, defendants in the American colonies did not have the rights afforded by due process – they had the burden of proof to prove their innocence. Defendants accused of witchcraft were assumed to be guilty and had to prove their innocence. Fortunately for defendants, that is not the case in today's world. These days a defendant is considered to be innocent until proven guilty. The Salem Trials are an extreme example of innocent people getting wrapped up in criminal charges, but that moment in history can serve as a reminder that justice systems can get things wrong. That is why it is important for you to understand what due process is and what rights it grants you.



Blackbeard's Blockade of Charleston

When you hear the word ‘Pirates,’ you probably imagine peg-legged old men with eye patches and British accents sailing through the Caribbean sea. It’s less likely you’ll imagine those same swashbuckling sailors causing problems in Colonial America, but it happened! Buckle your seatbelts for this forgotten bit of history!

Piracy is an organized act of taking someone else’s property from a ship without permission when that theft is committed in a river, sea, or other body of water. Robbery and thieving has been taking place across bodies of water since at least the 14th century when pirates attacked sailors from Egypt and nations that surrounded the Mediterranean. Piracy appears in paintings, books, songs, and films across many different eras. Many of the popular images and legends told about pirates today were inspired by thousands of pirates that operated out of the Caribbean and across the Atlantic Ocean during the **Golden Age of Piracy** from 1650 - 1720 . Those legends include ideas of pirates include old ships, black flags with skulls known as **Jolly Rogers**, and buried treasures have come to represent adventure on the high seas. This romantic idea of piracy is a mix of fiction and fact, starring famous pirates that lived extraordinary lives. The most famous of those pirates was Edward Teach – the man known as Blackbeard.



Edward Teach is believed to have been born in the year 1680 (his last name is debated by historians, and some claim it to have been Thatch). He fought for the English in what was known as Queen Anne’s War before beginning a life of piracy in the Caribbean. His adventures would eventually lead him to New England – a journey that would contribute to his eventual death in a bloody and violent battle at sea with American Colonial soldiers.

In 1717, Teach stole a French ship called La Concorde and renamed it the Queen Anne’s Revenge. Historians have discovered that Blackbeard relied on intimidation more than violence, which led to many successful raids of ships without Teach or his crew of pirates ever raising their swords! By not using violence and leaving plenty of witnesses to tell how scary the encounter was, fear of Blackbeard spread quickly among the merchant vessels that sailed across the Atlantic and along the coast of colonial America.

Blackbeard set up a **blockade** of the port of Charleston, South Carolina in May of 1718, meaning he cut off other ships’ abilities travel between the sea and the port where they could load and unload their cargo. This was a big deal – Charleston wasn’t a small town, but it relied on ships for some supplies and to export goods that would bring it money. His crew seized and looted ships that tried to enter or leave the port for a nearly a week. People on the ships Teach attacked were not only robbed – some of them were taken onto Blackbeard’s ship and not allowed to leave (a crime you may have heard of called **kidnapping**) until the colony paid a **ransom**, which is something of value given in exchange for the release of a prisoner or stolen property. It was not money, however, that Blackbeard demanded for the safe return of prisoners. Instead he required medicine for his men suffering from disease. The authorities in Charleston provided the medical supplies and the pirates withdrew from the port, but Blackbeard continued to threaten the coast of the Carolinas for another six months.

Alexander Spotswood was the Lieutenant Governor of Virginia at the time, and he wasn’t excited about pirates being so close to his colony. Although he didn’t have the authority to issue military action along the coast of the Carolina Colony because it was outside of his jurisdiction, he saw how Blackbeard and his crew had robbed and bullied an entire town and decided something must be done. Less than 6 months after Blackbeard’s barricade began, Spottswood ordered British forces he was in charge of to launch a secret attack upon Blackbeard and his ships in Carolina’s waters. The forces located Blackbeard and his ships and attacked. Blackbeard refused to surrender and died alongside many of his fellow pirates in a bloody yet brief six minute battle.

Legendary pirates hold a strong place in history, not just in the New World, but across the globe. While it may seem like piracy has died out, it is still common in some places today. Pirates no longer look like Blackbeard, but they do still exist. As weapons and technology have evolved, so too has the practice of committing crimes at sea.



Modern Piracy

In our world today, there are two kinds of pirates! The first type of pirates are the ones you've already learned about: people on boats that attack other people's boats and take their stuff.

The other kinds of pirates are intellectual property pirates.

Intellectual property is any kind of creation that someone has legal rights to, and **intellectual property piracy** is the theft of that type of property. An example of intellectual property would be if you wrote a song. Someone could not sing your song and charge other people money to listen to them sing it unless you give them permission first.

Most pirates of intellectual property commit federal piracy crimes by illegally copying, downloading, sharing, or selling copyrighted digital material. This is called **digital piracy**. If you download a

movie from the internet without paying for it, this is digital piracy. If you burned that movie to DVDs and sold them at school, each sale could be another charge of piracy!

Piracy at its core is about theft. But the internet does not have physical boundaries the way towns, states, and countries do. That means a movie you download in Nevada could be coming from New York or California. Since your crime crosses state lines, that means piracy is a federal crime!

Punishment if caught illegally downloading or selling copyrighted material can result in both civil and criminal proceedings. Being found guilty in a criminal case can result in up to five years imprisonment and up to \$250,000 in fines, even for first time offenders.



The Boston Tea Party

The first shots of the American Revolutionary War were fired in April of 1775, but people in the colonies had been taking action against the British government for years before the Battles of Lexington and Concord would signal the start of war. Many colonists believed the way the British were ruling over the colonies was unfair. Many laws had been passed that had extreme impacts on the colonists. Most of those laws were expensive taxes that kept taking money from the colonists. Not only were they unable to develop their own wealth, many of the colonists were barely surviving since the British taxes made most of their basic items much more expensive to buy.

The colonists did not have anyone to act as their ‘voice’ in the British Parliament where these taxes were being made into laws, and it made them very angry. They developed a **rallying cry** (a cheer that brings people together): “No taxation without representation!” That meant they did not want to be taxed without having someone to represent them among the people that were creating these taxes – someone that could explain how much they would suffer if the taxes were too high or if there were too many of them. Today, that phrase that is closely tied to the American Revolution.

Many of the expensive taxes were on **imported goods** – things that were brought to the colonies from other regions in the world. Instead of paying the taxes which seemed unfair, some of the colonists turned to sneaking those goods in from other countries so they could avoid paying the taxes. It was against the law for them to bring those goods into the colonies since they hadn’t paid taxes on them. That meant they were guilty of a crime called smuggling. One of the products the colonists began **smuggling** in was tea, which people drank a lot of back then, the way most people drink juice or soda today.

In 1773, England passed The Tea Act. This didn’t raise the cost of tea though – it lowered it! You would think the colonists would have liked that, but it made them angrier, and for a few good reasons. One reason was because the owners of a business that was running out of money named the East India Trading Company had friends in the British Government, and those friends decided to help by giving them a product to sell lot of.

Helping English business friends out was just one reason the colonists got mad. The other reason was that the lower prices on legal tea meant the colonists’ smuggled tea became just as cheap. For the colonists that had started to finally make some money by selling tea, this took away the little bit of wealth they had managed to develop (even if they hadn’t done it legally).

John Hancock and Samuel Adams are two of the more famous tea smugglers who had their criminal businesses interrupted by the Tea Act. At the time, they were also members of a group of rebel colonists that formed in 1765 - the **Sons of Liberty**. The group existed to push back against the British government, and what they would do in response to the Tea Act would become one of most well-known acts of rebellion in American history.

On the night of December 16th, 1773, a group of rebels led by the Sons of Liberty made their way to Boston Harbor. Some of the rebels disguised themselves as members of an Indigenous American tribe named the Mohawks. Their plan was to shift the blame from the colonists to the Mohawks if they were seen in the harbor.

Once the group reached the harbor, they **trespassed** onto three East India Trading Company ships anchored there by forcing their way onto the ships they obviously did not belong on. Next, they tossed 340 chests of tea into the harbor, which of course destroyed the merchandise! A single box of tea is worth about \$3 today, and a chest could hold over 100 of today-sized boxes of tea. That means in modern dollars, they had vandalized over \$100,000 of property in a harbor under British rule! Today, that kind of intentional destruction of property falls under a category of crime called malicious mischief.

All of that property destruction in Boston infuriated the British government, which passed what became known as the Intolerable Acts as a reaction. These acts placed many restrictions on the local government and the citizens in the colony of Massachusetts as a punishment Boston for their defiance. Those acts only enraged colonists throughout New England, and moved them another step closer to war!

Common Crimes in Focus: Malicious Mischief

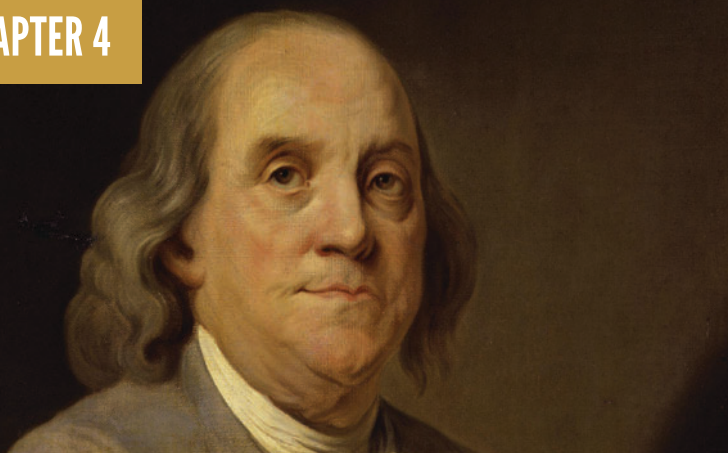
In Nevada, **malicious mischief** is a way of describing a crime against a property. It is basically a fancy way to say 'someone broke something because they wanted to be mean'. One thing to remember about malicious mischief is that the only allows for a person to be charged with it if they're accused of destroying property without using fire (if fire is used, then it would be the crime of arson which they could be charged with instead).

If you did something as simple as decide to toilet-paper someone's yard as a joke or a prank, you could be charged with a crime of malicious mischief! Even if putting paper all over a tree or house

seems kind of silly but harmless, depending on the cost of cleaning up the mess and whether or not any part of the person's property (including trees or plants, as well as vehicles in the driveway or street) is damaged, you could be charged with a felony! You could also be charged with a crime called trespassing since you probably weren't supposed to be wherever you were pulling your 'prank'. That would be another misdemeanor charge!

If costs of clean-up or repair total less than \$250, you are guilty of a misdemeanor; \$250-\$5,000 results in a gross misdemeanor; more than \$5,000 of damage is grounds for a Category E felony. The consequences of this charge are 1-5 years in prison and up to \$5,000 in fines.





Benjamin Franklin: American Advocate

The youngest son in a family of 17 children, Benjamin Franklin left school at ten years old to work in his father's candle shop. Even though he left school at a young age, young Ben Franklin did not stop learning. He continued to read, talk with adults and mentors, and observe the world around him. By continuing to act like a student even though he could not go to school, he became one of the greatest minds in American history.

After working for his father, Franklin went to work with his brother, where he learned how to run a printing business. During this time, he created a character that he began secretly writing as - the widow Silence Dogood.

In the form of letters from 'the widow' that were printed in a newspaper, Franklin criticized the colonial government run by the English. He eventually opened his own printing shop in Philadelphia, where he continued to write and print newspapers, letters, and political essays criticizing the government. Using his own name, he also published *Poor Richard Almanack* – a book that spread knowledge among those that could not afford an expensive education.

Even though he left school at a young age, Franklin educated himself and succeeded in many fields and eventually became one of the key Founding Fathers of the United States of America. Politically, he was a **diplomat** (an official representative of his community that builds relationships with other communities) who was devoted to helping his young country. One of his most important accomplishments as a diplomat was when he sailed to France and convinced them to give desperately-needed support to the American patriots during the Revolutionary War. He was also the only Founding Father that signed the Declaration of Independence, the Treaty of Paris (the legal agreement that ended the Revolutionary War), and the Constitution of the United States of America.

Decades before there was a Bill of Rights to protect such freedoms, Ben's interest in printing helped him appreciate how free speech and free press would be important to the world he wanted to live in. It was that vision of his that helped to shape what would become known as the First Amendment to the United States Constitution in the Bill of Rights. As a founding father, Franklin's concerns about freedom of speech, press, and personal directly influenced the inclusion of the First Amendment in the Bill of Rights.

Government, Rights, & You: The First Amendment

The first ten Amendments to the Constitution of the United States are called the Bill of Rights. The first of those - The First Amendment - provides some of the most important rights for citizens of the United States by protecting personal freedoms. These freedoms include freedom of religion, **freedom of speech**, freedom of the press, the freedom to assemble peacefully, and the freedom to contact and communicate with the government to request changes (that one is known as the **freedom to petition**). The freedoms recognized in the First Amendment are some of the most dearly cherished rights for Americans. It was the very first addition made to the Constitution after its ratification because the Patriots held those freedoms to be the most important: the right to express opinions, share information, openly practice religious beliefs, and peacefully assemble have been core values since the very beginning. But with those freedoms come responsibilities to use them wisely.

The First Amendment outlines free speech, but it is not absolute. There are several kinds of speech that are not protected. If you haven't already shouted "Freedom of speech!" at some point in your life when someone tried to punish you for something you said, you might be tempted to now that you know you have a right to a freedom of speech. What you need to understand is that freedom of speech is not the same as speaking without consequence. It *is* a right to express your thoughts and opinions without fear of being punished by the government. It *is not* a freedom to use speech to threaten, intimidate, lie in court or to law enforcement officers conducting an investigation, or to create dangerous situations.

One example of illegal speech that creates a dangerous situation would be if someone shouted 'Fire! Fire! Get Out!' in a dark and crowded movie theater – it could cause people to panic and might even result in death if people trip over each other or stairs trying to get out. A more modern example is when someone calls 911 and says there is an emergency at the house of someone they don't like so that police show up with guns drawn even though there is no emergency. That kind of 'prank' is called **swatting** and it breaks at least two laws in Nevada.

Remember: Freedom of speech protects you from being punished by the government for your opinions and views. It does not stop someone you work for from firing you if they don't like your views (but they cannot fire you because of your religion, race, or gender – something you'll learn about more in other chapters of this book). It also doesn't mean someone has to let you into their business if they don't like your views. Even schools can limit most – but not all - student speech. Having dress codes and not allowing bad language (swear words) are examples of limits on free speech that schools are allowed to use to limit distractions, making it easier for students to learn in their classrooms.

Revolutions, Rides, & Paul Revere

Born in Boston, Paul Revere was of the artisan class, meaning his family worked with their hands crafting things. Revere's father taught him to be a silversmith (a person that shapes silver into different objects). Eventually Revere's passion for the cause of the American Patriots led him to take part in a number of rebellious acts that led to the Revolutionary War instead of work as a silversmith. Of his rebellious acts, Revere is most well known for his nighttime ride on April 18th, 1775

At the time, American Patriots Samuel Adams and John Hancock that British troops were leaders of a group the British had declared to be illegal: The Massachusetts Provincial Congress. The two men led the congress' members as they claimed their colony to be independent from Britain, gathered up lots of weapons, and created a small army called a **militia** that was made up of civilians instead of professional soldiers to fight off the British attacks.

Since this was all illegal, the British set out to arrest Adams & Hancock, to confiscate the weapons, and to break up the militia. Fortunately, Paul Revere had a warning system that let the Patriots know to escape before the British arrived. He warned them by hanging lanterns in a bell tower of the Old North Church in Boston. The patriots knew to expect the British, so they'd already created a code to communicate with: If the British were ever to head towards Concord, a volunteer would hang one lantern if the approach was on land, or two lanterns if the British were going to attack from the sea.

Revere is remembered as a hero of the American Revolution because of his actions on that night. That one escape from Concord allowed for the American Patriots to win the first battles of the American Revolutionary War! If Revere had done stuff like that today and Britain had won the war though, Paul Revere would not be a hero – he would be in *A LOT* of trouble!



Historic Events & Modern Crimes: Revere's Ride Today

For fighting against the government, Revere would have been what is called a **traitor**. If he had been caught, he would have been charged with the crime of betraying his country – a crime called **treason**. Treason is not taken lightly by any country, and in the United States a person found guilty of treason could face **capital punishment** (meaning he could be killed by the government as punishment for this crime).

Another charge Revere and the patriots could have faced was a charge of **terrorism**, which is a criminal act of violence that is meant to cause some kind of political or community change. At the time of the revolution, when armies fought it was kind of organized. They would head towards each other, meet in the middle, and then try to kill each other. It sounds silly now, but they would basically just line up and attack each other – like a violent and deadly dance. The American Patriots realized how silly it was, so sometimes they would attack the British by surprise. For example, a small group of British people might be walking between two towns, and then the Americans would attack them by surprise along the road. These kinds of attacks were considered a kind of 'poor sportsmanship' of war which – again – sounds completely ridiculous when you remember they are talking about rules about how people should try to kill each other. By today's standards though, those attacks are forms of terrorism. Similar to treason, someone charged for terrorism can face capital punishment. Even though Revere is known for famous ride, he fought in the war after which is why he could be charged as a terrorist alongside Adams, Hancock, and the other Patriots.

That sounds like scary stuff, but you probably aren't thinking about taking down the United States government, so there isn't much for you to learn about the law from Revere's ride, right?

Wrong! Imagine again that Britain had won the war and Paul Revere had been arrested. Even if they didn't charge him with treason, by helping Adams and Hancock to escape Paul Revere had committed crimes known as **aiding and abetting**. That meant his actions supported criminals and criminal actions in a way that was itself a crime. Revere aided and abetted the American Patriots by helping them escape to join their fellow militia members and that also helped the rebels save their weapons from being confiscated. You probably aren't picturing yourself riding a horse to warn your friends of an incoming army, so you may not think a situation like this applied to you, but consider this:

If your friend decides to get up to some malicious mischief by toilet-papering a house, you might decide it is not worth the risk. You don't want to let them down though, so you agree to be a lookout and let them know if you see anyone coming. Here's the thing though: A phone call, a tweet, a DM on Snapchat, or even just a whistle as a signal could all get you charged with aiding and abetting. That's really scary, because in Nevada, someone that gets charged with aiding and abetting will face the same penalties as the crime that was carried out! If you aid and abet a murderer, you'll face the same punishments as a murderer! If you cover for a friend that is dealing drugs and you get caught lying for them after they get caught, you'll face drug dealing charges too - aiding and abetting is no joke!

Prudence Cummings Wright: Captain of the Bridgeguard

When the Revolutionary War broke out across the British-American colonies in 1776, Patriot men joined up with the local militias they helped form and left their towns to head out to the battlefields of war. The women were left to run the towns and raise the children, but that didn't mean they weren't going to support the fight American independence from England.

Some colonial women supported the American revolutionary forces by spying. Since women weren't seen on the battlefield, most of the British officers didn't think of them as taking part in the war. The lack of suspicion enabled the Patriot women to get away with a lot of spying – they would listen in on military plans of the British, and then pass those plans on to the American forces, giving them a lot of advantages.

Other women did their part in the fight for independence by sewing. That doesn't sound all that important, but the Patriots had limited options for resources. Remember: the ways the British were taxing and controlling the flow of goods into the colonies was one of the major reasons the American colonists were angry and fighting for independence. The Patriot soldiers couldn't just go to British traders and purchase clothing since they were considered criminals by the British army, and early on in the war they didn't have resources coming from Spain and France. Women that raised money for cloth and helped to sew clothing may not have been on the battlefields, but the American Revolution may have ended very differently without their contributions and support!

Not all women were satisfied with supporting the American fight for independence by quietly spying or taking part in the clothing drives of the day. When the men of Pepperell, Massachusetts left to fight the war, the many women left in the town decided to form a militia of their own to protect their community. The women gathered pitchfork, farming tool, and the few firearms the town's men had left behind, and prepared for action. Their decision to form a militia paid off, and they ended being a big help to the Patriots in the early days of the war.

One woman who stood among the group out was their elected leader, Prudence 'Pru' Cummings Wright. Pru was an American Colonist and Patriot who had family members that were Loyalists. One of those Loyalists was a brother that Cummings Wright overheard in April 1775 as he was talking to an English agent who had been carrying information between British forces in Canada and those in Boston. When the soldier and Cummings Wright's brother attempted to cross a bridge to leave the town towards Boston with the information, Pru and the militia used their weapons to stop the men at the bridge, took away the information, and then arrested the two Loyalists. Eventually they let the men go free but not before sending the information on to the Patriot forces giving them an advantage over the British. In a time when women weren't well known for direct military service, the acts of Prudence Cummings Wright stood out – so much so that her gravestone was inscribed with the phrase 'Captain of the Bridgeguard' so that her bravery and leadership would never be forgotten.

Criminal Charges, Interference, & You

Prudence Cummings Wright and the women who followed her were celebrated for their brave actions during the war and long after it had been won. What if the British had won the war, and what lessons about the law does that scenario have for you in the modern world?

If the British won the war and used our modern American laws to punish criminals, Prudence Cummings Wright – and the women she led – would face some pretty serious criminal charges. Since her brother and the soldier were conducting business for the British government, we can think of them as law enforcement officers. When they didn't let the men cross the bridge and when they took away the military papers, the women committed two acts of interfering with the law enforcement officers' ability to do their jobs. That means each woman could face two charges of obstructing a public officer which is a misdemeanor in Nevada. Since they used weapons and threats of violence, they would also face a charge of interfering with a public officer which is a gross misdemeanor in Nevada.

You may not see yourself in Pru's shoes resisting government forces in a revolutionary war, but what if you attend a protest gathering? Protest gatherings are when people group together

to march or occupy a space in order to draw attention call for change on an issue they care about. These gatherings can get very large, and because there are so many people in attendance sometimes police officers will be nearby to make sure people behave. Even though protests are protected by the first amendment, sometimes police arrest protesters for breaking laws during the protests. When there a lot of people at those protests, other protesters think they can stop the police from arresting their fellow protesters by pulling on them and shoving them, and then get away with it by running and hiding in the crowd.

Usually there are cameras everywhere at protests, so those people that interfere with police officers at protests tend to get caught. At the least, they could be arrested in Nevada, but they would more likely end up being punished with up to a year and a half in jail and up to \$3,000 in fines – and those punishments would just be for the charges covered in this chapter, and if the person only interfered with one officer – each officer could bring another set of charges! They could face a number of other consequences for breaking other laws you'll learn about later on in this book. Clearly, facing charges for interfering or obstructing with a public officer is NOT a situation you want to be in!

REVIEW & EXPLORE

Be sure to refer to the tables on pages 44-47 to review the laws you'll need to answer these questions.

On The Era

1. What laws played a role in the Patriots deciding to fight back and start the Revolutionary War, and why were the Patriots responding to those laws (what were the laws doing to cause that response)?
2. Other than 'not passing those laws,' what specific things could the British government have done to prevent the people that founded the United States of America from developing feelings that made them want to rebel?

Bacon's Rebellion

3. Think about what Bacon's followers wanted to get out of their act of rebellion. What reasons did they have to resort to such violent crimes?
4. Riots are an extreme and criminal form of protest, yet many have occurred since the days of Bacon's Rebellion. Do you think that these kinds of protest are effective in creating social or economic change (meaning do they help that the people rioting actually get what they want most of the time)? Why or why not?
5. We haven't given you all the information you need to answer this question correctly yet, but try to make an educated guess:

If you posted about plans to riot online, or gave out fliers, and your goal was to get more people to join you, that is called **publishing matter inciting [breach of peace]** and it is a gross misdemeanor in Nevada. Imagine someone prints a flyer trying to recruit people to riot and hands it out while standing outside a grocery store. Next, imagine another person tries to recruit attendees by posting information online. Each person will only be charged with one of the two crimes. Knowing that:

- 5.a) Which of the two people handing out fliers will be given the federal incitement charges?
- 5.b) Which of the two people handing out fliers will be given the state publishing matter inciting a riot charge?
- 5.c) Why did each person get the charge you assigned them?

The Salem Witch Trials

6. In Nevada, perjury is the act of making a false statement to a government representative after taking an oath, and is a Category D Felony. Imagine one of the people accused of being a witch falsely confessed, in the hopes that they would be given some kind of forgiveness by the courts. Then imagine a jail guard overheard that person admitting their confession was a lie. Would that make them guilty of perjury? Why or why not?
7. In the modern world, people that have been accused of crimes can enter a plea of **no contest**, meaning they are not admitting guilt but are not going to fight the charges. They might do this because they have been offered a **plea deal**: an agreement where the prosecutor representing the government agrees to give a smaller punishment to someone accused of a crime if they don't defend themselves in court. What problems would this modern system have created in the era of Salem witch trials, when anyone could simply claim someone had 'committed an act of witch craft' in a public place, resulting in the accused being charged with a crime?
8. In today's world, we have science, procedures for handling evidence, security footage, and many different things unavailable to the early American settlers and their judicial system of that era. How do these advancements in technology change the way we rely on physical evidence in trials today?

Blackbeard's Blockade of Charleston

9. During Blackbeard's blockade of the port of Charleston, he demanded medicine in exchange for returning control of the port. If something like Blackbeard's blockade happened today, do you believe that the government would react the same way, and provide goods in exchange for an end to the standoff? Explain your answer.

10. Digital piracy refers to illegally sharing, downloading, or selling copyrighted material on or from the internet. Some people believe that this is not a very serious crime, even though there are very expensive consequences and the risk of jail time for people that get caught doing it. Discuss how you feel about digital piracy as a crime, specifically focus on whether or not the punishment is appropriate, as well as your reasoning for your answer.

11. One way to commit digital piracy on accident would be to film yourself in a movie theatre. Imagine you're making a video to post to your social media because you're excited to be seeing a movie that just got released. If you never had been in trouble before, what is the minimum amount of legal consequences you could face if you were caught, prosecuted, and charged with this kind of piracy?

12. Blackbeard and his crew of pirates could only be charged with one type of kidnapping charge. Explain which type it was, and why you believe it to be that one: Kidnapping First Degree, Kidnapping Second Degree, or a federal kidnapping charge?

The Boston Tea Party

12. If the Boston Tea Party took place today, what is the least amount of punishment the participants could face at the **state** level, and what would the maximum amount be? Show your work by listing the laws you've included.

13. If the Boston Tea Party took place today, what is the least amount of punishment the participants face at the **federal** level, and what would the maximum amount of punishment be? Show your work by listing the laws you've included.

14. Crimes can be punished at both the state and the federal level. If the Boston Tea Party took place today, what is the least amount of punishment the participants would face if they were tried at both levels of government, and what would the worst-case-scenario be (if they were found guilty on all state and federal charges, how much would they end up owing in fines and what is the longest amount of time they could be in prison for)?

On Ben Franklin & The First Amendment

15. Shouting "Fire!" in a crowded theatre, swatting, and lying to a police officer or in court are some examples of speech that can be punished in the United States even though we have First Amendment rights (freedom of speech). What is an example of someone saying something that you think could be punished as a crime, and why do you think that is the case?

16. Swatting is the act of making a fake call to 911 in order to scare someone by having the police show up to their home unexpectedly (in a way where the police think they are coming to stop a violent crime from happening). What is the least amount of punishment a person could face for doing that in Nevada, and what would the maximum amount of punishment be if they were found guilty?

17) Freedom of Speech Vs Speech Without Consequences

17.a) What is the difference between having a freedom of speech and having an ability to speak without consequences?

17.b) Which of the two freedoms does the first amendment to the constitution of the United States of America guarantee?

17.c) Give an example of something a person might say where they wouldn't face criminal consequences, but they might lose their job or face another non-criminal consequence.

On Paul Revere

18. By hanging lanterns, Paul Revere managed to help his friends escape from the people that were coming to arrest him. If he had been arrested in Nevada for doing that, he might be charged for a lot of crimes but he would not face charges of interfering with an officer or obstructing an officer (even though he interfered with the British officers' ability to arrest his friends). Why would he not face those charges, even if it sounds like he should?
19. What federal charges would Paul Revere have faced if he were charged using the modern federal laws listed in this chapter, and what are the minimum and maximum total penalties he would have faced?
20. Using the example in the green box, imagine you and your friend got caught toilet-papering a house. You were just the lookout, but you didn't do a very good job. The homeowner then had to pay \$3,000 to clean up the mess and replace some of the trees and plants in their yard.
- 20a) What is the smallest criminal punishment you would face, and what is the biggest punishment you could face (include any prison time and any fines or fees)?
- 20b) What other consequences could each of you face other than the criminal punishments? Be sure to explain your answer.

On Prudence Cummings Wright

20. Cummings Wright and her supporters took some pretty bold steps to help the patriots. Let's imagine they had been caught and charged by the British officers. Of all the crimes discussed in this chapter and contained in the chapters' law tables, name the worst crime they could have been charged with, or one of the worst if you think there are two or more charges that have the same amount of maximum possible punishments. Be sure to explain why you chose the crime you did, how it applies to what Prudence and her militia did.

Did you Know

Did you know that the first recorded act of intellectual property piracy that violated a law was committed in 1770...by Mozart!?

Wolfgang Amadeus Mozart is one of the world's most well known composers – even if you're not into classical music, you know his name. When the young composer was just 14 years old, he heard a performance of a piece of music that had been written by a well-known musician at the time named Gregorio Allegri. Allegri had written music for a religious text the way a person might add a soundtrack to a movie, which was a common thing to do at the time. The piece he wrote is referred to as 'Allegri's Miserere'

Religions had a lot of power and influence in the 1770's, and so they were able to set rules that were treated as laws in a lot of places. One of those rules said that only three people could own written versions

of 'Allegri's Miserere', so that only they could control who would be able to perform the music for others. Those people were The Pope, The King of Portugal, and an important Italian priest (Allegri had died over 100 years earlier in 1652).

Mozart was attending a performance where 'Allegri's Miserere' was played, and he liked it so much that he ran home and wrote down the music from memory! Shortly after that, he attended a second performance to proofread his work, bringing his notes with him. Instead of keeping the music to himself, Mozart then published his work, essentially violating the law that only three people could own the music – now anyone could have it! In today's world, Mozart might face a lengthy prison sentence and a lot of fines, but the world was different in the 1770s. Instead of going after Mozart, the pope invited him to Rome and made Mozart a knight!

FEDERAL LAWS & CONSEQUENCES

Keyword	Classification	Summary + Details	Codification
Arson	Felony	Intentionally setting fire to a building is punishable at the federal level by imprisonment for 5-20 years, and longer if someone was injured in the fire.	18 U.S.C. §844
Destruction of Federal Property	Misdemeanor – Felony	If property is damaged and it costs less than \$100 to repair, the act is a misdemeanor punishable by a fine of up to \$100,000, a year in prison, or both! If the damage costs more than \$100 to repair, there can be a fine up to \$250,000 and prison time up to ten years!	18 U.S.C. § 1361
Freedom to Petition	Constitutional Right	The freedom to complain about and request changes to laws and other government processes, procedures, & policies.	US Constitution First Amendment
Freedom of Speech	Constitutional Right	The freedom of speech is a right guaranteed to all Americans under the Bill of Rights. Free Speech does not mean irresponsible speech though, which is why shouting 'FIRE!' in a dark crowded theatre can still get people sent to prison for causing deaths and chaos, and it only protects people from being punished by the government, not private companies and individuals.	US Constitution First Amendment
Freedom of Religion	Constitutional Right	The freedom of religion in the First Amendment states that the federal government may not make any rules prohibiting the practice of religion. Today we talk about this in the frame of separation of church and state	US Constitution First Amendment
Kidnapping	Felony	Kidnapping is when a person imprisons another person without any legal right to do so, and will only let their victim go in ex-change for a payment. There is no minimum punishment for this crime, and the maximum punishment is either life in prison. If their captive dies as a result of the kidnapping, the kidnapper can also face the death sentence.	18 U.S. Code § 1201
Piracy, General (Piracy in the high seas)	Felony	While there are a number of Piracy laws, but the two most important to know are: (1) There is no minimum punishment for a person who attacks a working ship in order to rob it, but there is a maximum punishment of a fine of up to \$5,000 and a prison sentence for up to ten years. (2) Using a ship as a getaway vehicle for a robbery can be punished by as little as no time in prison or as much as life in prison!	18 U.S.C. § 1659 18 U.S.C. § 1651

FEDERAL LAWS & CONSEQUENCES

Keyword	Classification	Summary + Details	Codification
Piracy, Destruction of ships or property on ships	Felony	Destruction of ships, aircraft, or cargo on those vessels has no minimum punishment, and a maximum punishment of up to 20 years in prison and a fine based on the value of property that was destroyed.	18 U.S.C. § 1363, CH 111a, Sec2291
Piracy, Digital (Internet-based piracy)	Felony	Criminal copyright infringement is when material is copied for commercial gain (to be sold illegally). Punishment depends on the value of what was illegally copied.	17 U.S.C. §506 18 U.S.C. §2319
Riots	Felony	Participating in gatherings where violence against property or persons is incited falls under the crime of rioting. Consequences can be imprisonment for up to five years, as well as being fined.	18 U.S.C. § 2101
Smuggling, merchandise	Felony	People that bring items other than drugs or people into the United States in a way that is illegal (not examined/approved by border officials, or in a way which helps the transporter to avoid paying taxes) faces no minimum penalty, and maximum penalty of 20 years in prison and a fine determined by the judge at sentencing with no maximum limit.	18 U.S.C. Chapter 27 § 545
Treason	Felony	Treason is when a citizen of the United States provides help for an enemy of the country or otherwise assists in acts of war against the USA. It is punishable by no less than five years in prison and at least a \$10,000 fine, with the death penalty being the maximum punishment. Anyone found guilty of treason will also be forbidden from working in the government.	18 U.S.C. §2381
Terrorism, Threatening	Felony, Class C	Terrorism is the use of violence or threat of violence to harm or intimidate people for political ideals or gains. There is no minimum punishment, and a maximum punishment of up to 10 years in prison and a \$250,000 fine	18 U.S.C. § 2332b(c) (1)(g)

STATE LAWS & CONSEQUENCES

Keyword	Classification	Summary + Details	Codification
Aiding and Abetting	Misdemeanor – Category A Felony	A person that helps another break the law or escape law enforcement can be charged with the same crimes committed by the person they assisted.	NRS 195.020
Arson	Gross Misdemeanor, Category D Felony	Intentionally setting a fire to property is a felony, with a punishment depending on the degree (severity) of the fire. Punishment can be anything from 1-15 years in prison and \$15,000 in fines, depending on the degree of the charge.	NRS 205.010-205.020
Breaching of Peace	Misdemeanor	Breaching the peace can be something as simple as a noise complaint for playing music too loudly, or something bigger like going in the street and blocking traffic as part of a protest.	NRS.203.000
Breaching of peace, Provoking others to	Misdemeanor	Encouraging or inciting people to commit acts that are considered a breach of peace is a misdemeanor.	NRS.203.030
Burglary	Category B Felony	Burglary is an unlawful entry into a property (house, car, tent, or boat) with the intention to commit a crime.	NRS 205.060
Criminal Trespass	Category B Felony,	Criminal Trespass is when someone enters another person's private property without permission or against the owner's wishes.	NRS 207.200
Graffiti	Misdemeanor - Category D Felony	The charge for graffiti depends upon the value of the loss, or how much it will cost to remove or repair. This can result in a misdemeanor (for less than \$250 worth of damage), gross misdemeanor (\$250-\$5,000 of damage), or a Category D Felony (damage of more than \$5,000).	NRS 206.330
Kidnapping, First Degree	Category A Felony	First degree kidnapping is one when person restricts the movement of a victim against that victim's wishes in order to hurt them, rob them, or hold them for ransom (but in Nevada, a store clerk being tied up and robbed will not count as kidnapping, only robbery).	NRS 200.310 NRS 200.320
Kidnapping, Second Degree	Category B Felony	Second degree kidnapping is one when person restricts the movement of a victim against that victim's wishes, with plans to secretly keep that person hidden away or to take them out of Nevada without legal authority.	NRS 200.310 NRS 200.330
Property Destruction, Malicious Mischief	Misdemeanor - Category D Felony	The willful destruction or injury to personal property, including vandalism and graffiti. Punishment depends on the value of the property that has been damaged: If (1) the value of the damage/loss is less than \$250 it is misdemeanor, or (2) the value of damage is \$250 - \$4,999 it is a gross misdemeanor, and (3) if the damage is valued at \$5,000 or more, or if the damage results prevents public communication, transportation or police and fire protection, it is a category E felony.	NRS 206.345

STATE LAWS & CONSEQUENCES

Keyword	Classification	Summary + Details	Codification
Perjury (False statement about a crime or in court)	Category D Felony	It is illegal to falsely report a crime, or to lie under oath. The charge is a misdemeanor up to a Category D Felony, depending on the severity. A Category D Felony is punishable by 1-4 years in prison and up to \$5,000 in fines.	NRS 207.280 NRS 202.840 NRS 193.130 NRS 199.120
Piracy, Movies	Misdemeanor - Category D Felony	When in a movie theatre, taking footage of the movie being shown on another device is a Misdemeanor the first time, and a Category D Felony each time after that.	NRS 205.216
Public Officer Duties, Interfering	Gross Misdemeanor	Anyone who uses force (pushing, shoving, or physically blocking) to stop an officer from enforcing the law and doing their job is guilty of a gross misdemeanor.	NRS 197.090
Public Officer Duties, Obstructing	Misdemeanor	Anyone who lies to an officer in a way that stops them from enforcing the law, or intentionally distracts them from enforcing the law and doing their job is guilty of a misdemeanor.	NRS 197.190
Riots, Encouraging (Publishing Matter Inciting Breach of Peace or Other Crimes)	Gross Misdemeanor	Anyone who prints or gives out printed materials that encourage others to commit crimes (where they actually want the readers to commit those crimes), is guilty of publishing matter inciting a breach of peace.	NRS 203.040
Robbery	Misdemeanor - Category E Felony	Robbery is a theft that occurs where the thief uses force on the person they are stealing from.	NRS 200.380
Swatting, False Report to Police	Misdemeanor	It is a misdemeanor to report to law enforcement professional that a crime has been committed if (1) no crime actually occurred, and (2) if the person reporting knows the report is false, and (3) if that report causes a law enforcement representative to investigate the false claim.	NRS 207.280
Swatting, False Report to 911	Category E Felony	Making a call to 911 or a police department and saying there is an emergency when no actual or perceived emergency exists is a category E felony.	NRS 207.245
Vandalism	Depends on amount of damage done	Willful or malicious destruction of property will be punished dependent upon the cost of the damage.	NRS 206.310