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| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Law Enforcement 1 |
| **Lesson/Unit Title** | Sexual Offenses – Texas Penal Code |
| **TEKS Student Expectations** | **130.336. (c) Knowledge and Skills**(8) The student analyzes procedural and substantive criminal law. (A) The student is expected to define crime categories and respective punishments according to the Texas Penal Code(B) The student is expected to analyze the elements of criminal acts according to Texas laws, including Alcoholic Beverage Code, Family Code, Penal Code, Health and Safety Code, and Criminal Code of Procedure(D) The student is expected to analyze types of criminal defenses. |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | **The students will be able to*** Discuss the definitions all sex crimes have in common
* Distinguish the different types of sex crimes and their punishments
* Develop logical arguments pertaining to the legitimacy of having or not having prostitution laws
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| **Rationale** | Police officers must respond to sex-crime calls. They must be able to distinguish the particular sex crime described in the call to file the appropriate charges.  |
| **Duration of Lesson** | 3 to 4 hours |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* |  |
| **Materials/Specialized Equipment Needed** | **Materials*** Debate Rubric
* Discussion Rubric
* Presentation Rubric
* Research Rubric

**Resources*** Texas Penal Code: <http://www.statutes.legis.state.tx.us/>
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| **Anticipatory Set**(May include pre-assessment for prior knowledge) | Divide the class into groups. Have each group research one or two of the crimes within this lesson using the penal code as a resource. Have the groups present their information to the class. Have the students who are observing the presentations create bubble maps for the crime being presented. (Note: To make a bubble map the students will write the name of the crime on their papers and draw a circle around it. This is the first “bubble.” Then they will write down two or three facts that are presented and draw circles around each fact. Next, they will symbolically represent the relationships between the facts and the crime by connecting the bubbles with lines. Use the Individual Work Rubric and the Presentation Rubric for assessment.  |
| **Direct Instruction \*** |

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| Texas Penal Code. Title 5. OFFENSES AGAINST THE PERSON. Chapter |
| 21. SEXUAL OFFENSES |  |  |  |
|  | Sec. 21.01. DEFINITIONS. |
|  | In this chapter: |  |  |  |
| (1) | "Deviate sexual intercourse" means: |
|  |  | (A) | any contact between any part of the genitals of one |
|  |  |  | person and the mouth or anus of another person; |
|  |  |  | or |
|  |  | (B) | the penetration of the genitals or the anus of |
|  |  |  | another person with an object. |
| (2) | "Sexual contact" means, except as provided by Section |
|  |  | 21.11, any touching of the anus, breast, or any part of the |
|  |  | genitals of another person with intent to arouse or gratify |
|  |  | the sexual desire of any person. |
| (3) | "Sexual intercourse" means any penetration of the female |
|  |  | sex organ by the male sex organ. |
| (4) | "Spouse" means a person to whom a person is legally |
|  |  | married under Subtitle A, Title 1, Family Code, or a |

comparable law of another jurisdiction.Sec. 21.02. CONTINUOUS SEXUAL ABUSE OF YOUNG CHILD OR CHILDREN.1. In this section, "child" has the meaning assigned by Section 22.011(c).
2. A person commits an offense if:
	* 1. during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims; and
		2. at the time of the commission of each of the acts of sexual abuse, the actor is 17 years of age or older and the victim is a child younger than 14 years of age.
3. For purposes of this section, "act of sexual abuse" means any act that is a violation of one or more of the following penal laws:
	* 1. aggravated kidnapping under Section 20.04(a)(4), if the actor committed the offense with the intent to violate or abuse the victim sexually;
		2. indecency with a child under Section 21.11(a)(1), if the actor committed the offense in a manner other than by touching, including touching through clothing, the breast of a child;
		3. sexual assault under Section 22.011;
		4. aggravated sexual assault under Section 22.021;
		5. burglary under Section 30.02, if the offense is punishable under Subsection (d) of that section and the actor committed the offense with the intent to commit an offense listed in Subdivisions (1)-(4);
		6. sexual performance by a child under Section 43.25;
		7. trafficking of persons under Section 20A.02(a)(7) or (8); and
		8. compelling prostitution under Section 43.05(a)(2).
4. If a jury is the trier of fact, members of the jury are not required to agree unanimously on which specific acts of sexual abuse were committed by the defendant or the exact date when those acts were committed. The jury must agree unanimously that the defendant, during a period that is 30 or more days in duration, committed two or more acts of sexual abuse.
5. A defendant may not be convicted in the same criminal action of an offense listed under Subsection (c) the victim of which is the same victim as a victim of the offense alleged under Subsection
	1. unless the offense listed in Subsection (c):
		1. is charged in the alternative;
		2. occurred outside the period in which the offense alleged under Subsection (b) was committed; or

is considered by the trier of fact to be a lesser included offense of the offense alleged under Subsection (b).1. A defendant may not be charged with more than one count under Subsection (b) if all of the specific acts of sexual abuse that are alleged to have been committed are alleged to have been committed against a single victim.
2. It is an affirmative defense to prosecution under this section that the actor:
	1. was not more than five years older than:
		1. the victim of the offense, if the offense is alleged to have been committed against only one victim; or
		2. the youngest victim of the offense, if the offense is alleged to have been committed against more than one victim;
	2. did not use duress, force, or a threat against a victim at the time of the commission of any of the acts of sexual abuse alleged as an element of the offense; and
	3. at the time of the commission of any of the acts of sexual abuse alleged as an element of the offense:
		1. was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
		2. was not a person who under Chapter 62 had a reportable conviction or adjudication for an offense under this section or an act of sexual abuse as described by Subsection (c).
3. An offense under this section is a felony of the first degree,

punishable by imprisonment in the Texas Department of Criminal Justice for life, or for any term of not more than 99 years or less than 25 years.Sec. 21.06. HOMOSEXUAL CONDUCT – was declared unconstitutional by Lawrence v. Texas, 123 S.Ct. 2472.Sec. 21.07. PUBLIC LEWDNESS.1. A person commits an offense if he knowingly engages in any of the following acts in a public place or, if not in a public place, he is reckless about whether another is present who will be offended or alarmed by his:
	1. act of sexual intercourse;
	2. act of deviate sexual intercourse;
	3. act of sexual contact; or
	4. act involving contact between the person's mouth or genitals and the anus or genitals of an animal or fowl.
2. An offense under this section is a Class A misdemeanor.

Sec. 21.08. INDECENT EXPOSURE.1. A person commits an offense if he exposes his anus or any part of his genitals with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended or alarmed by his act.
2. An offense under this section is a Class B misdemeanor.

Sec. 21.11. INDECENCY WITH A CHILD.1. A person commits an offense if, with a child younger than 17 years of age, whether the child is of the same or opposite sex, the person:
	1. engages in sexual contact with the child or causes the child to engage in sexual contact; or
	2. with intent to arouse or gratify the sexual desire of any person:
		1. exposes the person's anus or any part of the person's genitals, knowing the child is present; or
		2. causes the child to expose the child's anus or any

part of the child's genitals.1. It is an affirmative defense to prosecution under this section that the actor:
	1. was not more than three years older than the victim and of the opposite sex;
	2. did not use duress, force, or a threat against the victim at the time of the offense; and
	3. at the time of the offense:
		1. was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
		2. was not a person who under Chapter 62 had a reportable conviction or adjudication for an offense

under this section.(b-1) It is an affirmative defense to prosecution under this section that the actor was the spouse of the child at the time of the offense.1. In this section, "sexual contact" means the following acts, if committed with the intent to arouse or gratify the sexual desire of any person:
	1. any touching by a person, including touching through clothing, of the anus, breast, or any part of the genitals of a child; or
	2. any touching of any part of the body of a child, including touching through clothing, with the anus, breast, or any part of the genitals of a person.
2. An offense under Subsection (a)(1) is a felony of the second degree and an offense under Subsection (a)(2) is a felony of the third degree.

Sec. 21.12. IMPROPER RELATIONSHIP BETWEEN EDUCATOR AND STUDENT.* + - 1. An employee of a public or private primary or secondary school commits an offense if the employee
	1. engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person who is enrolled in a public or private primary or secondary school at which the employee works;
	2. holds a certificate or permit issued as provided by Subchapter B, Chapter 21, Education Code, or is a person who is required to be licensed by a state agency as provided by Section 21.003(b), Education Code, and engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person the employee knows is:
		1. enrolled in a public primary or secondary school in the same school district as the school at which the employee works; or
		2. a student participant in an educational activity that is sponsored by a school district or a public or private primary or secondary school, if:
			1. students enrolled in a public or private primary or secondary school are the primary participants in the activity; and
			2. the employee provides education services to those participants; or
	3. engages in conduct described by Section 33.021, with a person described by Subdivision (1), or a person the employee knows is a person described by Subdivision

(2)(A) or (B), regardless of the age of that person.1. An offense under this section is a felony of the second degree. (b-1) It is an affirmative defense to prosecution under this section

that:* 1. the actor was the spouse of the enrolled person at the time of the offense; or
	2. the actor was not more than three years older than the enrolled person and, at the time of the offense, the actor and the enrolled person were in a relationship that began before the actor's employment at a public or private primary or secondary school.
1. If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section or both sections.
2. The name of a person who is enrolled in a public or private primary or secondary school and involved in an improper relationship with an educator as provided by Subsection (a) may not be released to the public and is not public information under Chapter 552, Government Code.

Sec. 21.15. IMPROPER PHOTOGRAPHY OR VISUAL RECORDING.1. In this section, "promote" has the meaning assigned by Section 43.21.
2. A person commits an offense if the person:
	1. photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of another at a location that is not a bathroom or private dressing room:
		1. without the other person's consent; and
		2. with intent to arouse or gratify the sexual desire of any person;
	2. photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of another at a location that is a bathroom or private dressing room:
		1. without the other person's consent; and
		2. with intent to:
			1. invade the privacy of the other person; or
			2. arouse or gratify the sexual desire of any person; or
	3. knowing the character and content of the photograph, recording, broadcast, or transmission, promotes a photograph, recording, broadcast, or transmission described by Subdivision (1) or (2).
3. An offense under this section is a state jail felony.
4. If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section or the other law.
5. For purposes of Subsection (b)(2), a sign or signs posted indicating that the person is being photographed or that a visual image of the person is being recorded, broadcast, or transmitted is not sufficient to establish the person's consent under that subdivision.

 *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Guided Practice \*** | Divide the class in half. Have one group discuss the reasons why prostitution is and should continue to be illegal. Have the other class discuss why prostitution should be legal. Have the two sides come together and discuss their positions. Use the Debate Rubric for assessment.*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \***  | * Sexual Offenses Exam and Key
* Sexual Offenses Quiz and Key

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*None |
| **References/Resources/****Teacher Preparation** |  |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | 1. Speaking
2. Develop effective speaking styles for both group and one-on-one situations.
	* 1. Participate actively and effectively in one-on-one communication situations.
		2. Participate actively and effectively in group discussions
		3. Plan and deliver focused and coherent presentations that convey clear and distinct perspectives and demonstrate solid reasoning
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| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) |  |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA  |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)