



Lesson Plan: *Hernandez v. Texas* (1954)

Learning Objectives: The students will...

1. Answer comprehension questions while watching the video of *Hernandez v. Texas*.
2. Express personal opinions about key facts, the arguments, decision, and impact of *Hernandez v. Texas* on American history.

TEKS: US.20A; Govt. 16A

Materials Needed: Oyez video on *Hernandez v. Texas* (www.texasbar.com/civics), copies of student viewing guide, copy of teacher notes.

Teaching Strategy:

1. Begin the study by asking students to read the following portion of the 6th Amendment:
“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State...”
Ask the students what they think the word “impartial” means. After discussing their ideas, explain that they are going to look at a Supreme Court case in which the justices explained the meaning of impartial with regards to race and determined if it was covered by the equal protection of the laws clause of the 14th Amendment.
2. Explain to the students that they are going to view a video on the 1954 U.S. Supreme Court case of *Hernandez v. Texas*. Set the case up by explaining its significance in U.S. history—it illustrates the continuing problem of achieving equality for all citizens with regards to the justice system, especially Hispanics.
3. Pair the students up and distribute a viewing guide to each student. Have the students preview the guide with a partner and predict what they think the answers might be. After they have discussed their ideas on the guide, explain that they will be watching the video and answering the questions individually.
4. Play the video, stopping at the designated time on the teacher notes for the students to individually answer the comprehension questions as well as complete the “Stop and Think” section. If there is time, ask for volunteers to share their thoughts before going to the next section of the video. Continue this process until the video has come to an end.
5. Explain that the last portion of the guide contains a quote from Chief Justice Earl Warren’s opinion in the case that they are to interpret. They must also answer the final questions which explore the role the *Hernandez* case played in the struggle to achieve equality for Hispanics in the justice system before turning in the video guide.

Extension Idea:

Have the students research the issue and decision in the following two cases:

- *Hoyt v. Florida* (1961)—This case began when an all-male jury convicted a Florida woman of killing her husband. The woman’s attorneys filed a lawsuit saying that Mrs. Hoyt was denied equal protection of the laws because no females were listed on the jury rolls as potential jurors. The Supreme Court ruled that Florida had not violated her rights by excluding women on the jury rolls because women were still regarded as the “center of home and family life.” Therefore, excluding women from the jury rolls was not constitutionally significant.
- *Taylor v. Louisiana* (1975)—In 1975, Billy Taylor was convicted of kidnapping by a Louisiana jury that included no females. Under Louisiana law at this time, no women were called for jury service unless they had previously written a letter asking to be added to the rolls of potential jurors. The Supreme Court ruled that Mr. Taylor’s Sixth Amendment right to an impartial jury and his 14th Amendment right to equal protection of the laws had been violated by the exclusion of potential female jurors. This decision overturned the precedent set in the 1961 case *Hoyt v. Florida*. The Supreme Court concluded, “The selection of a...jury from a representative cross section of the community is an essential component of the Sixth Amendment right to a jury trial.” As a result of this decision, states could no longer exclude women from jury rolls.

After completing the research, have the students explain their opinion as to which case, *Hernandez v. Texas* OR *Taylor v. Louisiana*, has had the most impact in helping to achieve equality in the justice system. NOTE: While *Hoyt v. Florida* continued to support the exclusion of women from juries, it is helpful for students to understand this case since it was the precedent being overturned in *Taylor v. Louisiana*.