



PROFILES IN COURAGE

Teacher's Guide

BENJAMIN BARR LINDSEY

CREDITS:

Starring George Grizzard, David Brian, Edith Atwater, Joseph Ruskin, Jimmy Barden, and John Crawford. Written by Don M. Mankiewicz. Directed by Robert Gist. Produced by Gordon Oliver and Robert Saudek Associates. Inspired by John F. Kennedy's Pulitzer Prize-winning book. **50 minutes.** Guide prepared for Social Studies School Service by Robert D. Barnes, 1983.

OBJECTIVES:

- To examine some of the social problems of the early 20th century.
- To explore the development of the juvenile justice system.
- To understand the meaning of moral courage.

BACKGROUND:

In 1901, Judge Lindsey championed passage of a law establishing special court procedures for minors in Colorado. Explaining the impetus for the legislation, he wrote:

"I began to search the statutes for the laws in the matter, to frequent the jails in order to see how the children were treated there, to compile statistics of the cost to society of this way of making criminals of little children. And the deeper I went into the matter, the more astounded I became. I found boys in the city jail, in cells reeking with filth and crawling with vermin... I found boys in the county jail locked up with men of the vilest immorality. It kept me awake at night."

Explaining the consequences of Judge Lindsey's actions, Harvey O'Higgins has written:

"Judge Lindsey's efforts on behalf of the children in Colorado brought him first into conflict with employers who were exploiting children in industry, and with organized vice that was corrupting children in dives and gambling halls... He sought to

obtain playgrounds...to protect children of the poor...to obtain those laws by breaking the power of employers over both political parties..."

SYNOPSIS:

We see Benjamin B. Lindsey as a newly appointed judge in the "wild" city of Denver, Colorado, at the turn of the century. In his courtroom are young teenage boys facing jail sentences for minor crimes. Incarceration will place them with hardened criminals who will both "teach" and abuse them. We see Lindsey, convinced that the law can be used to the benefit of juveniles, cite a little used school attendance statute to gain jurisdiction over these young offenders.

Encouraged by his successes and shocked and angered by being unable to "save" more boys from intolerable jail conditions, Lindsey arranges for a hearing before the governor and the press. Here a parade of battered and abused boys, some preteen, testify to jail life. The governor is convinced, and legislation is passed to establish a juvenile justice system. Further, it becomes a crime to contribute to the delinquency of a minor.

When Lindsey takes on the "illegal" gambling in Denver that is "winked at" by the local political bosses, he loses powerful and influential support but continues his fight.

Lindsey's ideas and influence spread throughout the United States, and he holds office as judge in Denver for 26 years. In 1927, Benjamin Barr Lindsey is defeated for re-election largely through the efforts of the Ku Klux Klan, who have taken over Denver politics.

VOCABULARY:

The following words and phrases appear in the program. Teachers may wish to check for student understanding:

Barbary Coast	suspended sentence
statutes	booked
death benefit	reform
liable	"winked at"
attractive nuisance	dereliction of duty
docket	evict
bounty	degradation
Court Clerk	crank
incorrigible	juvenile hall
habitually	query
school attendance law	barrage
off the record	defamation
graft	political boss
segregate	Ku Klux Klan
brutalized	

QUESTIONS FOR DISCUSSION:

1. "The statute sets the penalty," states the district attorney matter of factly. What is the minimum penalty for trespass? For theft? What was Lindsey's reaction to the penalty? Yours? Can you think of any examples today where the punishment does not seem to fit the crime? Explain.
2. When Johnny's father was killed in a mine accident, the court denied a death benefit, stating that "he assumed the risk when he went into the mine." Today, businessmen attempt to protect themselves from lawsuit by stating in writing, sometimes as part of a contract signed by the customer, that the participant or customer assumes full liability as a condition of participation. Do such disclaimers hold up in court? Can you give some examples?
3. Prescott Charlton, attorney for the railroad, tells Judge Lindsey: "The law is how you read the law, Judge. The railroad doesn't pay me a fancy fee to tell them what they can and can't do. They pay me to show them how to do what they want to do." What is Lindsey's initial response? How does he turn this "reality" of life into something that works for him? Explain.
4. The Court Clerk, Mrs. Andrews, says, "The world doesn't want to be changed... Denver least of all." What does she mean? Is she right? Give an example to support your point.
5. When Lindsey, to protect juveniles, interprets the law his way, the District Attorney is angry

and accuses the judge of "being on the side of the law breakers." Do you hear similar charges directed at judges today? Explain.

6. Is Judge Lindsey's crusade, his "gamble" on young people, realistic and positive, or is he a troublemaker? Defend your view with examples.
7. Why is Johnny so hard on Ralph? Can peer pressure be effective? Potentially dangerous?
8. Charlton suggests, "Ask for 10 times more than you really need." Why? Does it work? What problems can result from such a philosophy?
9. Why did the boy with nine cents go to jail? Why did Lindsey use him as an example at the hearing? What were the "crimes" committed by the other boys that initially landed them in jail?
10. When Ben goes after the gamblers, he alienates Charlton and loses the support of the politicians. What is Lindsey's complaint about gambling? How does he answer Charlton's comment: "You can't protect people from their own foolishness."?

ACTIVITY:

Using the statement "You can't protect people from their own foolishness," or the similar concept "You can't legislate morality," give class members several days to conduct research that supports or rejects this view. Hold an informed, period-long discussion or debate.

FOR RESEARCH AND DISCUSSION:

1. How has the juvenile justice system in your state changed over the past century? Is there pressure for change today?
2. How do you think Judge Benjamin Lindsey would feel about today's video arcades as places for young people to spend their time and resources? Conduct research to find out what ordinances several American communities have enacted to control video arcades. Does your community have a video ordinance? How much time do you spend at arcades? Your friends?