

Humphrey v. Lane

This real-life case centers on a dispute between Wendell Humphrey and his employer, the Ohio Department of Rehabilitation and Correction. The central issue is religious freedom versus the department's grooming policy for correction officers. Middle School students will have an opportunity to conduct this trial and participate in a follow-up discussion about the appellate process.

PRE-TOUR ACTIVITY:

Read the story of Wendell Humphrey in class. Review the First Amendment.

CASE SYNOPSIS:

Wendell Humphrey is a Native American, a member of the Shoshone-Bannock tribe. He is a prison guard at the Hocking Correctional Facility in Nelsonville, located about 60 miles southeast of Columbus. As part of his religious practice, Humphrey believes he is obligated to wear long hair; he can cut it only under special circumstances.

The case is about a clash between Humphrey's religious convictions, including his belief that he wears long hair, and the department's grooming policy. Employees were expected to present a professional image to instill public confidence and to establish respect from the inmates. Officials said the rule was essential to the image, discipline and security at the prisons.

When the policy was first announced, Humphrey and his supervisors agreed that he could keep his long hair if he kept it tucked inside his uniform cap. That worked well for five years until Janis Lane, the warden, sent a memo to employees reminding them about the policy. When he refused to comply and not cut his hair to collar length, he was notified that he would be fired.

Humphrey filed a complaint in the Hocking County Common Pleas Court claiming the grooming policy violated his religious freedom guaranteed by both the U.S. and Ohio Constitutions.

The First Amendment to the U.S. Constitution states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof" but court rulings have also identified religious practices that are extreme and possibly harmful. In those situations, the courts have determined that there must be a "compelling interest" to limit religious freedoms.

Does the Ohio Department of Rehabilitation and Correction have a compelling interest to dictate the length of Mr. Humphrey's hair? Or, is this a clear violation of Mr. Humphrey's First Amendment rights?

SUGGESTED POST-TOUR IDEAS:

- Have students write a reflective piece on the trial of Humphrey v. Lane. Do they agree or disagree with the outcome?
- Discuss in class how the government protected the rights of Wendell Humphrey
- Ask students to write a journal entry from the perspective of a participant, such as Wendell Humphrey or Reggie Wilkinson
- Ask students to play the role of a reporter covering the case of Humphrey v. Lane for the local paper or TV station. The reporters are to write several short articles that chronicle the case from beginning to end.
- Summarize how trial courts differ from appellate courts.
- Further discuss the idea of "compelling interest". Do you agree that the courts should recognize limits to religious freedom?

This activity has six speaking parts. Your guide may ask the classroom teacher to assist in identifying students to play a role. The trial is scripted and geared towards students in the 6th - 8th grade. Selected students should enjoy reading out loud and have a comfort level participating in role playing activities. If you have pre-selected students to participate, please inform your guide.