Course: THE WIRE: Crime, Law and Policy
LAW 810-511

Instructor: Professor Robert Bogomolny
Office: Al 1105
Email: bbogomolny@ubalt.edu

Days/Time: Wednesday 10-11:50 a.m.

Location: TBA

Course Description:

This course explores legal and policy issues raised by David Simon's critically acclaimed HBO series The Wire. Among the topics explored will be searches, confessions, police manipulation of crime statistics, race and the criminal justice system, prosecutor's incentives for charging and dismissing cases, honesty and accountability of law enforcement, government power and access in the war on drugs, and the distribution of resources in the criminal justice system.

*Before enrolling in this course, please be advised that (1) The Wire contains a considerable amount of violence, adult content, and offensive language, (2) this course will require you to invest a significant amount of time outside of class to watch the entire series; and (3) this class is not blind graded. If any of the aforementioned presents a problem, you should not enroll in this course.

Course Materials:

The Wire (Seasons 1 through 5)*

*We have 2 copies in the law school library to check out and Langsdale has another one. You can also view it on HBOGO at http://www.hbogo.com/#search&browseMode=browseGrid?searchTerm=the%20wire/
Episodes are at http://www.hbogo.com/#series/browse&assetID=GORO1D596?assetType=SERIES?browseMode=browseGrid?browseID=category.INDB464/

It’s free with an HBO subscription or $15 a month
It’s also available to subscribers of Amazon Prime. Details are at https://www.amazon.com/s/ref=nb_sb_noss_1?url=search-alias%3Dprime-instant-video&field-keywords=the+wire Amazon Prime is currently $99.00 per year. See https://www.amazon.com/gp/help/customer/display.html?nodeId=200966690 for details.

Grades:

Grades for this class will be based on class participation and a final paper.

Class participation will account for 20% of your grade. The quality of your contribution is more important than the quantity of your participation. Students should be extremely well prepared to discuss, debate, and analyze the assigned material. Of course, I reserve the right to call on students randomly.

All students must write a final paper that will be due May 1, 2016. The final paper should be between 15 and 20 pages in length. The paper should be written in law review format (look at an issue of one our school’s law reviews as an example). It should be in 12 point Times New Roman font. The text should be double- spaced. The footnotes should be single- spaced. There should be no extra spaces in between paragraphs. Margins should be standard at 1 inch. You should not include a cover page or table of contents. Please submit papers via TWEN in the assignment drop box. Late papers will be accepted but will be reduced by one full letter-grade. There are no exceptions to these rules.

In the paper, you should identify a dysfunctional aspect of the criminal justice system portrayed in The Wire. Your paper should analyze what rules, procedures, or policies could realistically be changed to improve the problem. You should choose a solution that is both narrow and concrete. I am happy to talk with you about your paper topic, but it is your responsibility to generate topic ideas.

In writing your paper, you should not suggest a simple slogan or easy fix. For instance, your paper should not argue for “just legalizing drugs” or “spending more money on schools” or “holding police officers accountable.” Nor should you regurgitate a solution that has already been argued elsewhere. Be careful not to offer a proposal that is too broad and far ranging. For example, proposing a complete restructuring of the prison system in the United States or a complete revamping of the way we help prisoners to re- enter society is too broad.

Rather, you should (1) address a discrete issue, (2) document the problem with examples from The Wire as well as other materials you have researched; and (3) suggest a plausible way to improve the situation. It is not necessary for you to completely solve the problem, particularly given that The Wire should have taught you that some systemic institutional problems are beyond complete repair. You should instead consider a way to ameliorate the problem, while weighing the trade-offs and costs that come with your proposed course of action.

It is important that your solution be specific and detailed. You should explore the nuts and bolts of how your proposal would be adopted and how it would work. If you propose a change in how the law should apply or govern a particular issue, you should consider
whether your change is constitutional as well as what statutes, common law doctrines, regulations, or other rules would specifically have to be changed.

To the extent that your proposal will involve the expenditure of more money, you should explain where that money will come from and how you will convince politicians and the public to support it. Simply saying, “spending the money on my proposal now will save us money in the long run by incarcerating fewer people” is not, by itself, particularly persuasive.

The best papers will be the ones that target a clear and particular problem, offer a solution that is reasonable in approach and scope, and are specific about how the solution will be implemented.

The final paper will be worth 80% of the grade for the course.

Attendance:

Class attendance is a primary obligation of each J.D. student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A J.D. student who exceeds the maximum allowable absences may be compelled to withdraw from the course. J.D. students who are forced to withdraw for exceeding the allowed absences should receive a grade of WA (withdrawal due to excessive absences), unless the faculty member believes that a grade of WF is warranted. In this course, J.D. students are allowed a maximum of 3 absences. An attendance sheet will be circulated at each class.

Course Web Page:

This course has a TWEN webpage that links to this syllabus as well as housing an assignment drop box where final papers will put submitted. You are responsible for self-enrolling, using your ubalt.edu email, in the web course and you should check the web course regularly.

Computers

Laptops or tablets may be used for note taking purposes. This policy will remain as long as it is not abused and will be decided at the Professors discretion.

Class Cancellation

If the instructor must cancel a class, notices will be sent to students via email prior to class. All emails will be sent via TWEN. If there is inclement weather, students should visit the University of Baltimore web page or call the University’s Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule.
Academic Integrity:

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another’s book or study materials without consent; unapproved multiple submissions; material misrepresentation of one’s academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports.

Disability Policy

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director for Student Support in the Office of Academic Affairs at 410-516-5623 or via email at lmetzger@ubalt.edu.

ASSIGNMENTS

Session #1: January 13

The Reality of Life in the Drug Trade
The Law of Wiretapping

Assignments:

Watch the first two seasons of The Wire prior to class.
Read textbook pp. 3-19 & 28-41

Session #2: January 20

The Law of Drug Possession
Proving the Crime of Possession with Intent to Distribute

Assignments:

Read textbook pp. 43-81

Session #3 January 27

The Fourth Amendment in the Real World
Assignments:

Read textbook pp. 87-117 & 131-137

Session #4: February 3

Interrogation: The Law and the Reality

Assignments:

Read textbook pp. 147-192

Session #5 February 10

Hamsterdam: How Should the Criminal Justice System Respond to Drugs?
Hamsterdam: Police Discretion
Hamsterdam: The Politics of Crime and Drug Legalization

Assignments:

Watch Season 3, Episodes 1 through 11
Read textbook pp. 209-253

Session #6 March 22

Compstat: Crime Fighting Breakthrough or Invitation to Manipulation?
Prisoner Reentry: The Cutty Dilemma

Assignments:

Read textbook pp. 193-208 & 255-278

Session #7 March 24

Indeterminate Sentencing vs. Sentencing Guidelines: Should Avon Barksdale Have Been Eligible for Parole?

Mass Imprisonment of African-Americans

Assignments:

Watch Season 3, Episode 12
Read textbook pp. 279-316
Session #8  March 2
TBD

Session #9  March 9
Distribution of Resources in an Overburdened System

Assignments:
Watch Season 4, Episodes 1-8
Read textbook pp. 381-405

Session #10  March 23
The Law, Ethics, and Ramifications of Informants and Snitching

Assignments:
Watch Season 4, Episodes 9 & 10
Read textbook pp. 349-380

Session #11  March 30
Police Brutality: The Law and the Sociology

Assignments:
Watch Season 4, Episodes 11 & 12
Read textbook pp. 407-458

Session #12  April 6
Professor will meet with students about papers

Session #13  April 13
Testifying and Other Police Dishonesty

Assignments:

Watch Season 5, Episode 1-3
Read textbook pp. 458-473

Session #14  April 20

The Influence of the Media on the Criminal Justice System

Assignments:

Watch Season 5, Episodes 4-10
Read textbook pp. 475-494

Final Papers due: May 1 by 11:59 pm.

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