**UDL CURRICULUM, NOVEMBER 10 – DECEMBER 5**

**Criminal Justice**

* BIG UDL NEWS: The December 5 tournament is a BFD. After the three standard rounds from 3 to 7, the top two teams will compete in a final round judged by Mayor Toni Harp and Superintendent Garth Harries.
  + The top team will receive two $500 scholarships; the runners-up will receive two $250 scholarships. All prizewinners (varsity and novice teams and speakers) will be recognized in front of the final round panel and there will be a reception ft. refreshments.
  + INVITE YOUR FRIENDS, SUITEMATES, ACQUAINTANCES! This is really, really exciting for UDL, and we want to demonstrate the strength of the program by having as many community members as possible attend.
* Start reminding your students about this *now* and, if at all possible, clear your schedule so that you can judge all three rounds.
  + It’s important that the tournament run smoothly so that we can finish the first three rounds and start the final event right on time.
  + That will be much likelier to happen if we don’t have to deal with last-minute drops or additions, and especially if we have plenty of judges.

**Week of November 10 – 14**

**Discuss tournament (10 – 15 minutes)**

* Ask your students to discuss individual rounds they had at the tournament. Were there any arguments for which they couldn’t think of responses? Brainstorm some potential responses. Did they present any arguments or speeches they were particularly proud of? What made those speeches and points strong?
* Ask everyone who competed to identify one area of improvement they want to focus on over the next month, such as presenting stronger impacts, flowing thoroughly, or speaking with confidence.
  + Ask them to brainstorm specific steps they can take to improve in that area.
* If your students would like, feel free to spend a large portion of the practice discussing what worked and what didn’t at the tournament. Options include group brainstorming to generate constructive points and argument responses, rebuttal re-gives and POI strategizing.

**Flowing review and practice (30 – 40 minutes)**

* Recap and discuss:
  + Why is flowing important?
  + What are best organizational practices for flowing?
    - If new students have joined since September, take some time to go over standard format
  + What can go wrong if you don’t flow, or don’t flow well?
  + What are the most difficult aspects of flowing?
* Watch round and have students flow the first two speeches.
  + <http://vimeo.com/40937588>
  + This is a really good one. Opposition chooses: Should liberal democracies choose to ban a pill that prevents children from being porn gay? Opp chose to ban. Gov won (don’t ban pill).
  + If you can’t watch videos at your school due to technology issues, other options include flowing songs (something fast) or articles (preferably criminal justice related but could be anything) you read aloud.
  + Go over flows.
  + Talk about organization of speeches. What did the speakers do that made it easy (or not easy) to follow their arguments and understand where they were headed?

**Discussion: criminal justice (20 minutes) *if necessary, split this up and continue discussion next week***

* Ask students to brainstorm types of issues they might encounteron this topic. What do they know about the criminal justice system in America? Why does criminal justice matter?
* How does the justice system work? Discuss the roles played by police, attorneys, courts and the penal system.
* What is the purpose of establishing legal consequences for crimes? Should our system be aimed primarily at rehabilitating criminals or punishing them for their offenses?
  + Discuss the difference between retributive justice (punishment is best response to crime)
  + and restorative justice (involves victims in dialogue about how best to ameliorate harm done by offender, consider needs of community instead of applying abstract and inflexible legal standards).
* What protections do the Constitution and legal precedents afford people accused of crimes?
* Body of the Constitution says all criminal cases will be tried by a jury of the accused’s peers, a person under arrest must be brought before court and not imprisoned indefinitely, and ex post facto laws cannot be passed.
* Fourth Amendment: no searches, arrests or seizure of property without warrant or “probable cause” to believe crime has been committed. (Discuss the room this leaves open for interpretation, and consider possibilities for gray area under this amendment—just one reason why criminal justice is a highly fluid and relevant topic despite centuries of written principles)
* Fifth Amendment: no self-incrimination, no double jeopardy, grand jury indictment necessary for major case to proceed to trial, no punishment without due process, basis for Supreme Court interpretation of Miranda Rights.
* Sixth Amendment: speedy public trial in criminal cases, guarantees right to legal counsel for accused, right of accused to know charges against him or her, and right of accused to demand witnesses attend trial and testify in his or her presence. Also basis for Miranda Rights.
* Eighth Amendment: no excessive bail or fines and no cruel or unusual punishment.
* What are various punishments the American criminal justice system metes out?
  + How do we decide what constitutes an appropriate punishment?
  + What is the purpose of different types of punishments?
    - IE jail, fines, community service, capital punishment
    - Do these punishments always achieve their intended effect?
    - What factors can prevent a punishment from changing behavior (both individual and societal) the way it is meant to?
* What are areas where the criminal justice system seems to be flawed or unfair? What are some ways in which the system meets the requirements set forth by bodies of law, but fails to do so in a way that realizes the purpose of the requirement?
* IE, all people are entitled to legal counsel, but many public defenders are over-burdened and under-paid, so economically disadvantaged people accused of crimes are thus unable to access the same level of legal services as the wealthy.
* The justice system creates different outcomes for people of different races. African Americans convicted of serious crimes are likelier than white counterparts to be sentenced to death; 9.2% of all African Americans are incarcerated compared to 3.7% of all Latinos and 2.2% of all whites; and policies such as stop-and-frisk have been found by federal courts to unfairly target minorities.
* Could some punishments regularly used in the US constitute “cruel and unusual punishment”? The death penalty and solitary confinement are examples of consequences that critics say are wrong.

**Week of November 16 – 20**

**TOURNAMENT REMINDER:** December 5! 3 – 9 pm at Yale! Parents welcome to attend final round starting at approximately 7 pm. *Pride, honor and* ***scholarships*** *are on the line!!!!!!!*

**Discussion: Moar Criminal Justice (15 – 20 minutes)**

* What are areas where the criminal justice system seems to be flawed or unfair? What are some ways in which the system meets the requirements set forth by bodies of law, but fails to do so in a way that realizes the purpose of the requirement?
* IE, all people are entitled to legal counsel, but many public defenders are over-burdened and under-paid, so economically disadvantaged people accused of crimes are thus unable to access the same level of legal services as the wealthy.
* The justice system creates different outcomes for people of different races.
* African Americans convicted of serious crimes are likelier than white

counterparts to be sentenced to death;

* 9.2% of all African Americans are incarcerated compared to 3.7% of all Latinos and 2.2% of all whites
* policies such as stop-and-frisk have been found by federal courts to unfairly target minorities.
* Criminal justice gone rogue: the US is among the only nations on earth where police officers regularly shoot and kill citizens—largely black men—on the streets with impunity. Why are such killings so egregious?
* Discuss violation of rule of law, responsibilities of police to communities they serve
* How should we respond to this reality? Discuss shooting of Michael Brown in Ferguson, MO and aftermath
* Could some punishments regularly used in the US constitute “cruel and unusual punishment”?
* The death penalty and solitary confinement are examples of consequences that critics say are wrong.
* Discuss the importance of an effective and fair criminal justice system. This seems intuitive (we need to punish criminals and people shouldn’t be treated differently under the eyes of the law), but at the tournament students will need to be able to articulate very clearly exactly why society loses when the criminal justice system is flawed.
* Unfair system undermines trust in and respect for that system, fracturing social contract.
* IE stop and frisk boosts hostility towards police in minority neighborhoods and reduces likelihood of voluntary cooperation with police
* Misguided punishments can increase harms to society instead of decreasing them, violating principle of restorative justice and undermining any practical benefits of retributive justice.
* IE mass incarceration (mostly a result of harsh sentences for drug related crimes) hollows out communities; having a criminal record can prevent people from establishing stable lives and securing lawful employment; etc
* Excessive leniency may reduce the deterrent capability of law—If punishments are not tough, people may be likelier to commit crimes because they are less concerned about consequences.

**Practice round (45 – 60 minutes)**

* Resolution options:
  + THB stop and frisk does more harm than good
  + THB police should be required to wear video cameras on their bodies
* After round, give as much feedback as time allows. Ask students to save their flows for subsequent weeks’ practices.

**Week of November 23 – 27 (if by some miracle you have practice the week of Thanksgiving… NHPS is in school Monday and Tuesday so I mean maybe it’s theoretically possible. Otherwise you now have two curriculum options for practice the week of the tournament.)**

**Drill: extemp drills (20 minutes)**

* Give each student one minute to brainstorm a 1-minute PMC speech. Explain that they should probably stick to a single point instead of attempting to fit multiple into a single minute.
* Immediately before a student begins speaking, assign the next student a new topic so that they are brainstorming while the predecessor is speaking.
* Topics to use:
  + THB juveniles should never be tried as adults.
  + THB universities should turn over sexual assault cases to local police
  + THW allow non-citizens to serve on juries.
  + THB there should be a legal limit to the number of hours a person can work each week
  + Opp for each of these
  + Or, light and fun topics you come up with on your own

**Drill: six-minute rounds (25 – 40 minutes)**

* The goal of this drill is to focus on the absolutely most important things to say, be concise, and keep it simple.
* Do practice rounds, where every single speech in the practice round is only 1 minute long. Prep time is 5 minutes before the round. If you have enough students, then you can rotate it out so that one group is prepping while the other is debating (this means that they will have 6 minutes of prep, but it should be fine.) If this is something that your students absolutely *cannot* do, then have the constructive speeches be two minutes apiece, and the rebuttal speeches be one minute apiece.
* Because the goal is concision, pound them down after one minute. Do not give them any extra time.
* Remind students that it is better to decrease the number of points rather than to decrease the level of warranting for any of their points. They still need to be able to justify
* Rotate the teams around between rounds.
* If the students don’t understand any of the topics, explain them! These topics may require a little bit of knowledge, so this is a great opportunity to learn that knowledge!
* Topics (don’t feel free to go in this order or use all of them. Just pick the ones that you like the most, or else feel free to come up with your own!):
  + - THB that the NSA surveillance program is justified.
    - THB that the US government’s use of drone strikes is justified.
    - THW legalize drugs.
    - THW try terrorists in civilian courts
    - THB it is permissible for the US government to assassinate American citizens who join terror groups abroad
    - THB presidents should not have the power to pardon convicted criminals
    - THW eliminate plea bargaining
    - TH supports the use of stop and frisk policies by police officers.

**Rebuttal practice (20 minutes)**

* Using topics (and the content of rounds) that were used in the previous exercise, have students deliver rebuttal speeches. After each speech, give feedback. Make sure that the rebuttal speeches accomplish the following goals:
  + - Is clear/easy to follow
    - Crystallizes the debate into the major issues that have come up.
    - Clearly explains why their side has one with the debate
    - Engages with both sides’ argumentation in the round; doesn’t just ignore everything the other side said
* Discuss these goals with your students.

**Week of Dec. 1 – 5**

**LAST CHANCE TO SIGN UP FOR TOURNAMENT**

* Seriously, everyone should sign up for the tournament! It will be great! And you should sign up to judge because that will also be great!
* Send your reg to Becca and Lincoln ([becca.steinberg@yale.edu](mailto:becca.steinberg@yale.edu) and [Lincoln.swaine-moore@yale.edu](mailto:Lincoln.swaine-moore@yale.edu)) ASAP

**If you did not have practice last week, you may want to do drills above. Up to you.**

**Argument generation drill (15 – 20 minutes)**

* Students have two minutes to come up with as many arguments as they can in support of a given motion. Then, one at a time, they have to present those arguments, with a claim, warrant, and impact, and you can throw out arguments you don’t think are persuasive.
* See how many times you can go around the room and here new arguments. If a student can’t think of a new argument, they’re out.
  + Motions:
    - THB parents should receive some punishment for crimes their children commit as minors.
    - THW eliminate the death penalty
    - THW eliminate police quotas for traffic tickets

**Practice round (45 – 60 minutes)**

* Motion: THB America’s police should not have military-grade equipment.
* OR do a round on the board