**UDL Curriculum April 1 – May 2**

**Criminal Justice**

A few general things:

* The UDL City Championship is Friday, April 25 from 3 pm to 8 pm on Yale’s campus. It will include three rounds of regular competition and then a final round between the top two teams. We want this tournament to be as well attended as possible, so encourage your students to sign up early! For experienced debaters, this will be a way to test themselves and see all their friends from other schools, and for novice or even first-time debaters, this will be a great introduction to tournaments and a chance to win recognition for excellent performance among novices!
* New Haven Public Schools spring break is April 14 – 18. You are welcome to organize practice on your own, but UDL will also host practice rounds at Yale on Friday afternoon. This is a great way for everyone to get prepared for the City Championship, so please mention it early in the month and get an idea of how many of your students might be interested. Also, please consider volunteering to help out at this practice session! It won’t be as big a time commitment as a tournament—one or two rounds max—but your presence will be really helpful. And if you didn’t coach this week you already have a spare 90 minutes or so!

**March 31 – April 4**

* Osterweis is Sunday, April 6 from 9 am until 5 pm! Remind all the students who signed up that they need to be at Yale by 9 am Sunday morning. Students who aren’t competing are welcome to come and observe rounds, especially in the afternoon, when there will be spectator-friendly semi-final and final rounds.
* **Quick review of Osterweis format,** especially if this didn’t happen last week. All the speech times are the same, but teams choose from three resolutions instead of being assigned one. When students arrive at their round, they’ll flip a coin. The winning team gets to choose either the resolution or which side they’d like to be on. After they have chosen, the resolution is selected. Then, the side that did notchoose the resolution gets to select a side. After resolution and sides have been chosen, both teams have 15 minutes to prep. The resolutions address “American political issues that should be familiar to the average high school student.”
* **Practice opportunity at Yale during NHPS spring break**: PLEASE mention this to your students! We’re hosting p-rounds at Yale Friday, April 18 in the afternoon for any UDL kids who want some extra preparation for the tournament. More information forthcoming, but try to sell this so we can get good turnout! It’d also be awesome if you can give me an idea of the number of your students who are interested. [Isabelle.taft@yale.edu](mailto:Isabelle.taft@yale.edu)
* **Topic discussion: Criminal Justice Basics (30 minutes)**
  + Ask students to brainstorm types of issues they might encounterat the City Championship tournament on 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 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.
* **Warranting, Impacting and Rebutting Drill (30 – 40 minutes)**
  + Instruct all students to individually brainstorm any claim or claims they like (bonus points if it’s about America’s criminal justice system—you could also require that the claim be topic relevant), and quickly outline warrants and impacts to each claim. Since this should be done quickly, they should probably just choose one.
  + Choose one student to stand and deliver his or her claim, warrants and impact. If you don’t hear strong warrants or impacting, ask questions to draw out more effective argumentation.
  + Another student stands and delivers a concise rebuttal to the claim. If the rebuttal doesn’t do the work it needs to, try to use questions to get the rebutter to deepen their analysis.
  + After the exchange, invite other students to consider the strengths and weaknesses of the claim and the refutation. Then, the student who delivered the rebuttal delivers his or her claim. Repeat until everyone has gone, and then have students deliver new claims if time permits.

**April 7 – 11**

* **Discuss Osterweis and future goals (15 minutes).** What went well and what did not go so well? Did students witness or deliver any particularly impressive performances? What made some speakers strong and other speakers less strong? Ask each competitor to brainstorm one specific way in which they want to improve before the City Championship. It’s probably a good idea to write these down and try to focus on each of these areas at least a little bit during pre-tournament practices. Answer any specific questions students have about arguments or topics from the tournament.
* **Discuss City Championship!** Because there might not be practice next week, it’s crucial to remind students NOW to clear their calendars for April 25 and let you know if they’re interested in competing so we can get a preliminary headcount as early as possible. Explain why this is an awesome opportunity to compete against everyone in the league, and ALL students should sign up to attend!
* **Practice opportunity at Yale during NHPS spring break**: PLEASE mention this to your students! We’re hosting p-rounds at Yale Friday, April 18 in the afternoon for any UDL kids who want some extra preparation for the tournament. More information forthcoming, but try to sell this so we can get good turnout! It’d also be awesome if you can give me an idea of the number of your students who are interested. [Isabelle.taft@yale.edu](mailto:Isabelle.taft@yale.edu)
* **Practice round (45-60 minutes)** Normal practice round routine, but ask every participant to select one area of focus for the round. This could be strong and confident delivery, clear and significant impacts, asking a good POI, or flowing the entire round thoroughly. Write these areas of focus down and consider them as you watch the round. Depending on the focus of your discussion last week and the interests of your students, use the topic *THW ban the use of solitary confinement as a disciplinary tool in prisons* or *THW ban life sentences for juvenile offenders, regardless of their offense* or another topic relevant resolution.
  + Divide your students up into groups:
    - If you have fewer than 4 kids, have assistant coaches fill in, so you can do a full 2 vs 2 practice round
    - If you have 4 kids, then divide them up into 2 teams of 2
    - If you have 5 or 6 kids, divide them up into 2 teams of 2-3. Where needed, you can have a different person give the PMR than the person who gave the PMC. Same with the LOC and the LOR.
    - If you have 7 kids:
      * If you have 2 or more coaches, divide them up and do 2 prounds. Either one assistant coach can fill in for the empty spot or, if you have a student who is up to the challenge, s/he can iron (wo)man
      * If you only have 1 coach, have all of the kids who are not participating in the round flow. Afterward, they can discuss the ideas that they had that didn’t come up in the round!
    - If you have 8 or more kids
      * Same as for if you have 7 kids, only you don’t need an assistant coach to fill in.
  + In your feedback, be sure to address each student’s performance with regard to his or her area of focus.

**April 14 – 18: NHPS SPRING BREAK**

* If you made plans with your students to hold a practice, make sure you follow through and remind them of the day, time and place!
* Reminder about City Championship! April 25, 3 to 7/8, Yale, YEAH!
* **If you can’t host practice on your own, your students who are interested can come to Yale Friday, April 18 for practice rounds! This is a great opportunity to get prepared for the City Championship next week! More information about location and times forthcoming. But please encourage your students to come!**
* **Topic** **Discussion: Criminal Justice (20 – 30 minutes)**
  + 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; solitary confinement can cause severe mental health problems
    - 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.
* **Skills review: flowing (10 minutes)**
  + By this time in the year, most kids are hopefully pretty strong at this. But if you’re a new school or your students don’t seem to be confident flowers (or don’t realize how much flowing will benefit them), it’s a good idea to revisit this skill ahead of the City Championship.
  + Explain why flowing is crucial. To win a round, you can’t just win your own points. You must also show why the other side’s points don’t stand. You can’t do this effectively unless you write down what the other side’s points are so that you can be sure you don’t drop them. And you can’t effectively extend and strengthen your partner’s arguments unless you write those down as well. Briefly explain some good flowing formats and strategies.
* **Skills practice: using flowing to identify dropped arguments** (**30 minutes)**
  + Divide students into two teams—gov and opp. Number students in each team, so there are corresponding pairs of ones, twos, threes, etc. Using the resolution *THB employers should not be allowed to see the criminal record of non-violent offenders applying for a job,* each team brainstorms arguments.
  + Gov 1 will stand up and deliver a single point, to be followed by Opp 1 who will present an off-case point and then rebut the on-case. Then Gov 2 must rebut Opp 1’s Off-case point and refute the assertions against Gov 1’s point.
  + At the end of this exchange, tally up any arguments dropped by either side. Ask observers to look at their own flows to count up drops as well. Does a consensus emerge about drops? Why did the drops occur? Not that if a student accuses one of the speakers of a drop but cannot show in his or her flow where the drop occurred, the accusation is not persuasive. This demonstrates the potential for flowing to become an offensive tool—if you can show where an opponent dropped an argument on your flow, judges are likely to be persuaded.
  + After discussion, Opp 2 refutes the claims against Opp 1’s off-case point and presents a new off-case point (note that Gov 1’s point goes away here and this does not count as a drop!). Gov 3 then addresses Opp 2’s speech and presents a new on-case point. Opp 3 then addresses Gov 3. (Note that arguments are increasing so drops will probably become more difficult to avoid). Repeat discussion.
  + Continue until everyone has spoken. If speeches get too muddled, you can start each round from scratch instead of linking them.

**April 20 – 25**

* **Remind everyone about the City Championship!** Schools that meet early in the week: if your students haven’t already, they should let you know they’re going so you can sign them up!
* **Topic discussion (20 minutes)** (if you didn’t do this over NHPS spring break): see above.
* **Practice round (45-60 minutes),** standard procedure, with motion *THB all fines should be proportional to an offender’s income, instead of a fixed sum of money*

**OR,** if you think your students will be better prepared for the tournament if they do a more guided, focused activity

* **Big Group Round/Flowing Practice (45 minutes – 1 hour)**
* This activity could very well take up the entire practice time. If so, don’t worry about it—it’s a great learning tool.
* Using the topic *THW legalize prostitution* create the flow of a PMC on the board. Come up with three on case arguments that are well warranted and impacted. Call on a different student to come up with each argument, and you can also call on other students to warrant and impact those arguments.
* Note: If you are worried that your students are going to come up with arguments that probably shouldn’t be on the flow, then do a brainstorming activity first. Come up with a list of arguments. Then, with the students, pick the three most overarching arguments. A good exercise is to see how two arguments can be combined into one bigger argument or how one argument could be a sub-argument falling under the broader scope of another argument.
* Do the same thing for the LOC off case, using arguments against the resolution. Then, go down the flow for the PMC and call on students to come up with responses to each argument. Whenever possible, try to have more than one response to each argument.
* For the MG speech, start off case, then move on case. Try to have more than one response to LOC arguments whenever possible. Remember to make sure that every student is participating. If needed, call on students who are not participating. If they can’t come up with responses on their own, use hints and prodding to help them get there.
* The MO should do pretty much the same thing as the MG speech, but for the opposition. Again, try to make sure that all students are participating.
* Tips for making this activity worthwhile:
* If no students can come up with an argument or a response to a particular argument, try to help them get there on their own. If that doesn’t work, you can offer up the argument yourself. It is better for you to make an argument and them to learn from it and have to try to respond to it than to have the argument go unstated.
* Press the kids for warrants and impacts. It’s a lot easier to just give claims than it is to make fleshed out arguments
* Make sure the flow on the board is neat and organized. Try to use different colors for gov and opp.
* Try to have the kids flow on their own sheets of paper as you flow on the board. It will give them good flowing practice

**April 28 – May 2**

* It’s reading week, but coaching debate is the best study break! You can use this practice to say goodbye to your kids for the year and set goals for next year.
* Discuss the tournament. What went well and what didn’t? How effectively did students perform in the areas of focus they identified before the tournament? What lessons can be applied to tournaments next year? For seniors, what argumentative and rhetorical strategies will still be useful in “the real world”?
* Discuss goals for next year.
  + What did your students enjoy about practices and competitions? What did they dislike? Are there any drills they found particularly effective? Any they disliked? (PLEASE NOTE: If you have an awesome drill that your kids love, tell me! isabelle.taft@yale.edu . I’d love to incorporate it into future curricula!) Anything they want to change about the structure of their team and practices?
  + What competitive goals do students want to achieve? What do they need to do to achieve them? What can they work on over the summer to prepare for a strong debate season?
* Don’t forget to mention UDL summer camp! It’ll be at Yale, August 21 – 24. It’s free, lunch is provided, and students will be able to work with a number of different coaches! More information forthcoming.