Prof. Sirota
Spring 2022

BREAKING THE RULES: HIGH-CRIME AREA RULE & RESEARCH PROJECT

A. New Client: Shakima Greggs

You represent a new client, Shakima Greggs, who was arrested as a result of evidence found during a <u>Terry</u> stop. The officer who stopped Ms. Greggs said he reasonably suspected that she was involved in an illegal drug deal based on a combination of the following:

- Ms. Greggs and another person were observed sitting together in a parked car for ten to fifteen seconds at the far end of a dimly lit parking lot late at night. Ms. Greggs and the other person seemed to be looking at something that Ms. Greggs was holding in her hand.

- The parking lot was located in a neighborhood that, according to the officer, was "well known" in his precinct as a "high-crime area," and the officer himself had made three drug-related arrests during the past year within a six-block radius of the parking lot. The officer did not have any empirical data to support the "high-crime" designation ascribed to the area.

Ms. Greggs and her companion were both Black women, and the parking lot was in a majority-Black residential neighborhood.

Although neither aspect would be sufficient on its own, precedent cases in your jurisdiction have found reasonable suspicion in similar combined circumstances. Accordingly, Ms. Gregg's best argument is that the basic high-crime area rule from <u>Wardlow</u> should be refined or, perhaps, rejected entirely.

B. Research Project

Counsel for Ms. Greggs (i.e., everyone) will argue for a new "high-crime area" rule. The rule should be well-supported by authority, even if not by precedential majority opinions.

Collectively, the members of your team should (1) craft a new HCA rule and (2) locate three sources that would be particularly effective authority to support this rule. At least one source should be a court opinion (which may be in the form of a dissenting opinion) and at least one source should be something other than a court opinion. Keep recency, authorship, and relevance considerations in mind.

Procedure: Decide as a group how to divide up the work and get started. We may have time to start the project during class time. No one should spend more than two post-class hours on this project.

Product: The team should produce a report identifying (1) the proposed new rule and (2) the three authorities that you have selected.
- No particular format is required.
- The report should be polished and easy to follow, geared toward allowing a senior lawyer who has not yet done any research herself to quickly understand the proposed rule and assess the strength of each authority listed.
- I posted two research reports from last year's class in the Samples module. Read the NOTE before looking at the samples.

For each of the three sources of authority:

1. Provide sufficient information for the reader to be able to locate the source. Include a link for online sources. Don't worry about Bluebook format for this exercise.

2. In no more than six or seven sentences, describe why the source seems to be particularly good authority for the argument that your proposed rule rather than the Wardlow test should apply in Ms. Greggs's case. Point to specific parts of the source that contain helpful analysis.

Research Project Teams

Team Number	Section 20	Section 21
Team 1	5 students	5 students
Team 2	5 students	5 students
Team 3	5 students	5 students
Team 4	5 students	5 students
Team 5	5 students	5 students

One member from the team should post the team's report in the appropriate Canvas Assignment folder by 1:10 on Thursday, March 31. There is no Legal Practice class that day. Make sure that all team members' names are on the report.