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## **Street Law**

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# Street Law

Winnie F. Taylor

Law students are aware of the existence of correctional facilities but the actual prison environment is unknown and unreal to them. For them, as for most members of the public, prison communities are often invisible, mysterious, stereotyped, and forgotten.

In the spring of 2001, I met with Professor Sandra Green, Chair of the Department of History in Cornell's College of Arts and Sciences, who regularly teaches two courses at Auburn Correctional Facility, a maximum-security state prison forty miles north of Ithaca. Sandra told me that some inmates at Auburn wanted to know if Cornell Law School would sponsor a legal seminar series at the prison. These inmates wanted an intellectual dialogue with members of the Law School community and hoped that a seminar would provide such engagement. Although I have no scholarship or teaching interests in criminal law or criminal justice, the thought of bringing inmates and law students together in a classroom setting intrigued me.

What I found particularly interesting was the idea of a law school class with inmate participation that did not have criminal justice jurisprudence as its primary focus. My vision was of a course that would focus on current legal topics beyond the realm of crime and punishment. After meeting with prison administrators, inmates, and colleagues at the Law School to hone my ideas for the course, I proposed a new seminar for the 2001 fall term that I called "Street Law." Students enrolled in this seminar would have an opportunity to discuss law-related topics of general interest with non-lawyers in the community—in this case, inmates of



Auburn prison. I wanted the students in the Street Law seminar to go behind the prison walls and exchange opinions and ideas with the inmates in a context unrelated to potential attorney-client relationships. I wanted the inmates to listen to and be heard by lawyers-in-training whose legal interests transcend the criminal justice system. Ultimately, I wanted both groups to have a unique academic experience with an enhancement of verbal, writing, and reasoning skills at its core.

The 11 students (six women and five men) who enrolled in the first Street Law course were required to write papers on topics of their choice, subject to my approval and that of prison administrators. The administrators advised against topics they deemed volatile, such as prison riots. I steered the students from topics related to the status of incarcerated persons in general or the predicament of any of the inmates involved in the seminar. Among the paper topics the students chose were affirmative action, women in the military, the child welfare system, reparations for people of African descent, sex and violence on television, racial profiling, the rights of putative fathers, homosexual adoptions, the tabloid media, and pornography as discrimination against women. The inmates suggested some of these topics.

Top: *At the end of the semester, some of the seminar students joined Prof. Taylor in the moot court room: (back) Steve K. Winnie '02, Sara L. Jenson '03, Rex M. Davenport '03, and John Vukelj '03; (front) Channee N. Franklin '03, Yvette Lopez '03, Prof. Taylor, Juan C. Real '02, and Andrew K. Schinder '03*

The students spent the first half of the course in Ithaca writing drafts of their papers. During the final six weeks of the course, the students and I made weekly trips to Auburn, where we discussed the papers with the inmates in a designated classroom inside the prison. Prior to our visits, a prison representative, David Roth, met with the class in Ithaca to review visitor protocol and security clearances. Among other things, we received guidelines for appropriate visitor attire, which excluded, for example, sleeveless clothing and open-toed shoes. We were also told that visitors could not bring such things as backpacks, food, or expensive jewelry into the prison. Somewhat ominously, we were told to follow the instructions of the guards and to use common sense in the unlikely event that an irregular occurrence necessitated the use of extraordinary security measures.

Some 10 inmates joined each class at the prison, although the number varied. An inmate organization, the National Trust, pre-screened the inmates who wanted to participate and gave them copies of the student papers, that I sent to the National Trust Board president one week prior to the class meeting so that the inmates could prepare. Sitting in a circle, inmates and law students discussed one paper at the first class meeting and thereafter two papers per visit for an hour each. No prison guards or administrators were present in the classroom. Guards were present at the beginning of class to confirm inmate attendance but, having left, rarely re-entered. They monitored the class by periodically viewing us through the classroom windows and were at all times stationed nearby in the hallway.

Because our first meeting at the prison came just a few weeks after the events of September 11, the inmates and students spent some time during our initial class sharing their thoughts and feelings on this subject. As you can imagine, this topic was not

your usual icebreaker. Opinions were mixed and ranged from the philosophical to the political to the deeply personal. Notwithstanding the intensity and gravity of the discussion, there were moments of levity. One inmate described his puzzlement over his family's concern for his safety when they

**Our purpose was not to focus on what had brought the inmates to prison. It was to share with them the complexity and excitement of the study of law.**

first learned of the collapse of the twin towers. Because they knew he was in Auburn prison and unlikely to visit New York City anytime soon, he found their concern bewildering, yet touching. The candor of the inmates and the students was remarkable in itself and had the additional merit of informing the discussions of the next five weeks.

Between papers, we took a 25-minute refreshment break. During this intermission, students and inmates spoke more casually over coffee, tea, and hot chocolate. One student told me later that the break times were among the seminar's most valuable, for it was especially during these less structured interludes that he felt the class was shattering the stereotype of maximum security prisoners as societal outcasts devoid of humanity.

Two students, who had previously written critiques of the paper, and an inmate initiated the discussion by commenting on the paper and questioning its author. Other participants, inmates and students alike, subsequently joined what proved to be lively debates. The inmates' questions were poignant and thoughtful, their comments insightful and provocative. And their opinions were diverse and richly textured with personal experience. It was evident that some of the inmates had done extensive legal research on the paper topics and they grilled the law students accordingly. It is fair to say that the inmates raised the bar of a typi-

cal class discussion. I was delighted with the performance of both groups and greatly pleased that each regarded the class as personally and academically enriching.

The rapport that developed between the students and inmates was notable. The two groups became a dynamic law school class despite their obvious differences. I think this bonding was due in part to the students' being unaware of the specific crime(s) of which each inmate class participant was convicted. I intentionally withheld this information from the students because I thought it would seriously distract them and undermine our primary objective. Our purpose was not to focus on what had brought the inmates to prison. It was to share with them the complexity and excitement of the study of law.

At the conclusion of each class meeting, the students and I walked in pairs with other visitors through the prison yard to the exit area. As they had when we entered the cell block, guards led us and walked at our sides. Although no inmates were in the yard when we entered the prison shortly before 7:00 p.m., the yard was filled with inmates taking recreation breaks when we left the prison at 9:45 p.m. This short walk at the end of class seemed to produce the most discomfort among the students, especially at the beginning of the semester. However, by the time the seminar ended, this

aspect of visiting Auburn prison was no longer intensely dreaded. Once outside, the students and I commented on how quickly the two and one-half hours had passed, how impressed we were with the quality of the discussions, and how much we looked forward to our next session.

During the last week of Street Law, I invited the students and one of the prison administrators, David Roth, to my house for dinner. Mr. Roth is the official who gave the orientation lecture on prison protocol. He had previously mentioned his desire for feedback on our experience and so, over dinner, we told him about its highlights and shortcomings. As for the latter, the students thought that six visits to the prison were too few. They wanted more opportunities to meet with the inmates. The students also felt that the one-hour limit for paper discussions was too short, for it did not allow them sufficient time to discuss the papers as extensively as they would have liked. On the positive side, the students expressed their deep appreciation for having had a portion of their professional training take place outside the Law School building and in the community. They noted that such opportunities are rare except for clinical programs and externships. As to the prison setting for the paper discussions, the students told Mr. Roth how this context dramatically altered their perceptions about where intellectual dialogues can take



*Auburn Prison*

### Law Students' Comments:

"Street Law was a very valuable class. I admit that I was a little skeptical when I enrolled in the course—I was expecting interesting conversation and unusual viewpoints but I never expected it to be as legally intensive as it was. I was surprised to find that inmates came to class having done additional research after reading our papers, and pointing out fine distinctions of law that many of us hadn't noticed.

"Another unique and helpful aspect of the class was the opportunity to review our peers' work. In most law school courses, our only interaction with other students comes from comments made in class. In Street Law, we had the opportunity to read and critique our classmates' work, and also to question them on it. The process of peer review was invaluable in that it showed me how my classmates think and write. It also exposed my writing and opinions to the scrutiny of the class. This exercise has made me more conscious of how I present my ideas and has helped me develop more effective and persuasive ways to express and defend my arguments. Having inmates critique our work provided another important element—it tested our abilities to convince non-lawyers of our legal opinions and conclusions."

*- John Vukelj '03*

"Hands down, Street Law was the most rewarding class of my Law School experience. The educational methods and setting were a refreshing departure from the typical Law School class. More importantly, the personal interaction with inmates and fellow students was valuable beyond measure. The experience of Street Law will forever be one of my finest memories of Cornell Law School."

*- Steven K. Winnie '02*

"Street Law gave us an opportunity to address unique aspects of the law and a forum in which to receive critiques and comments from marginalized members of the community. The inmates were always prepared and would cite cases that were contrary to the opinions we presented in our papers. We covered a wide array of topics and received extensive comments and rigorous critiques from all the participants."

*- Rex M. Davenport '03*

### Inmates' Comments:

"I was deeply proud to be in the presence of aspiring and intelligent law students."

"The Street Law class was a perfect example of pure inspiration."

"[Participating in the Street Law class] was truly a joy because it gave me a chance to not only learn from the class but to also share my views with a group of prestigious young students who were eager to listen and learn."

"I have noticeably better analytical skills."

"The students expressed their opinions without holding anything back, which added the element of humor."

"The most exciting thing for me was when we would all get so caught up into the debate that I would not only forget that we were in prison, but that I was a prisoner. It is experiences like this that I will never forget."

place and the respective backgrounds and conditions of people from whom they can learn.

Collectively, the students appraised the seminar as having provided an opportunity not only to think outside the box but to go outside the box as well. What the students gained from this unusual combination is apparently what made the seminar so valuable an experience for them.

According to my evaluations, the Street Law seminar enhanced the students' legal research, writing, verbal, and critical thinking skills. I know

they gleaned at least this much from the course. However, if you speak to any of them about Street Law, they will tell you they received substantially more. They feel enlightened in a special way by their experience and I surmise that they will long remember this particular slice of their legal education. Because of the many intangibles involved, I cannot describe all the ways in which the students benefited from participating in the seminar. But I can tell you with certainty that they do not stop talking about it.



*Winnie F. Taylor is a professor of law at Cornell Law School.*