

## The Rehnquist Court: Ten Years Later

### “Criminal Procedure as a Form of Governance”

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#### Materials

##### I. Cases

- a. *Whren v. U.S.*, 517 U.S. 806 (1996)
- b. *Illinois v. Wardlow*, 528 U.S. 119 (2000)
- c. *Maryland v. Pringle*, 540 U.S. 366 (2003)

##### II. Recommended Law Review Articles

- a. William J. Stuntz, *Unequal Justice*, 121 HARVARD L. REV. 1969 (2008)
- b. Devon W. Carbado, *(E)racing the Fourth Amendment*, 100 MICHIGAN L. REV. 946 (2002)

##### III. Police Governance & Race

- a. Excerpt from the Grand Jury Testimony of Officer Darren Wilson (Ferguson, MO Grand Jury, Vol. 5, pp. 238-39, Sept. 16, 2014)

Q: Did you have a volatile, well, how can I put this. Did you not really get along well with the folks that lived in that apartment, not you personally but I mean the police in general?

A: **It is an antipolice area for sure.**

Q: And when you say antipolice, tell me more.

A: There's a lot of gangs that reside or associate with that area. There's a lot of violence in that area, there's a lot of gun activity, drug activity, it is just not a very well liked community. That community doesn't like the police.

Q: You were **on pretty high alert at that point knowing the vicinity** and the area that you're in?

A: Yes, **that's not an area where you can take anything really lightly**. Like I said, it is a hostile environment. **There are good people over there, there really are**, but I mean there is an influx of gang activity in that area.