

The Wire 101

Law prof creates textbook and course around the hit show

William & Mary Law School professor Adam Gershowitz loved HBO's *The Wire* so much that he created a textbook and a class around the show.

"*The Wire* is a phenomenal piece of television not only because of its storytelling but also because of its realistic depiction of criminal procedure issues," Gershowitz says.

For five seasons, *The Wire* examined societal problems in Baltimore through the prism of the ongoing battle between the police and those in the drug trade. Gershowitz's students must read his textbook, *The Wire: Crime, Law and Policy*, and also watch the first two seasons of the show before the class begins.

The course covers a gamut of issues in the criminal justice system. "In addition to the drug war, Fourth Amendment issues, Fifth Amendment issues, prisoner re-entry and how the media impacts the criminal justice system, the book and the course also consider sentencing law, race and the criminal justice system, police lying, police brutality, crime statistic manipulation, drug legalization and, of course, the law of wiretapping."

Predictably, the course has been popular with students. "The course gets a large enrollment," Gershowitz says. "I hope it is eye-opening for students that there is a world in which the law is not so neatly applied, that there is a world of crime and vice that they don't see in law school. I'm grateful to William & Mary for letting me teach the course."

—David L. Hudson Jr.



Poetic Justice

Scorned as a 'copyright troll,' a poet resorts to verse to fight her detractors

*For it matters not, how much we own;
the cars ... the house ... the cash.
What matters is how we live and love
and how we spend our dash.*

Like so many consumers of social media, Ilan Katz thought nothing of reposting an unattributed poem on his own website wall after he read it on a Facebook post.

"I had no idea who wrote the thing," recalls Katz, an electronics salesman in Orange County, Calif. He learned that Linda Ellis wrote *The Dash* when he received a letter from Ellis' representative claiming copyright infringement and demanding \$7,500 along with a warning about statutory damages up to \$150,000.

Katz is not alone. Others, including bloggers, churches and schools, have received similar demands from Ellis over their use of her poem.

Katz has continued to rebuff the demand, accusing Ellis' agent of using scare tactics to "go after people for sharing something so beautiful." In June, Ellis' representative made a "last and final" demand for \$3,750, threatening to "turn this matter over to our attorney" in two days. Katz did not respond, and he says he has not yet been sued.

Ellis' actions have drawn the scorn of others who claim that her litigation threat is an empty one and have dubbed the poet nothing more than a "copyright troll." Seattle businesswoman April Brown, one of Ellis' most public detractors, says she received a similar threat from Ellis in 2011 after posting

The Dash on her website.

Mineola, N.Y., attorney Oscar Michelen, who has counseled *Dash* demand recipients, says that \$7,500 greatly exceeds a likely judgment for a minimal infringement. Unrepresented parties sometimes agree to excessive settlements because of high litigation costs, and "they are led to believe that their exposure is far greater than it really is," he says.

"In a civilized society, we should not demonize our opposition with names like 'troll,'" says Seattle attorney Timothy McCormack, who has been vilified for representing copyright plaintiffs. Ellis' initial settlement demand does not seem unreasonable, he says, given statutory damages of up to \$30,000 for most infringements.

For her part, Ellis accuses her critics of a smear campaign, but she has lyrically embraced their insult in *The Troll*, a new poem: *If protecting my rights in your eyes makes me a "troll," then I'll wear the badge proudly and keep fulfilling my role.*

—William C. Smith

