



SPRING 2026 COURSE SYLLABUS

Course Number:	120-001
Course Title:	Civil Rights Prosecutions
Credit Hours:	3
Grading Mode:	Letter grade based on final exam & class participation
Meeting Time(s):	Tu & Th, 6:05pm – 7:30pm
Meeting Mode:	In person
Exam Time(s):	48-Hour take-home during exam period
Exam Mode:	Take-home exam; essay and short answer
Prerequisite(s):	Not open to first-year students
Instructor(s):	Angela Miller; Brandy Wagstaff; Erin Monju

Contact Information and Office Hours:

We do not hold regular office hours but are available by appointment. We answer all emails within 24 hours. Email is the preferred method of communication outside the classroom, but we are available to speak to students via Zoom or telephone upon request. When sending an email, please include all three professors on the email. Email addresses: amille88@gmu.edu; bwagstaf@gmu.edu; emonju@gmu.edu

Reading(s) & Supplement(s):

There is no textbook for this class. All readings will be made available on TWEN or can be accessed through Westlaw/Lexis.

Course Overview:

This class will provide an in-depth analysis of three areas of modern civil rights prosecutions—(1) hate crimes (Prof. Miller); (2) human trafficking (Prof. Wagstaff); and (3) color of law violations (Prof. Monju).

DISCLAIMER: Civil rights prosecutions are a serious and sensitive topic, where offensive, hateful, and violent conduct and speech will be covered and discussed extensively. The topics we will cover involve issues and incidents of racial violence, violence at the hands of government officers and officials, and sexual violence. In discussing these legal issues and the relevant cases, we will frequently encounter vulgar, traumatizing, and offensive language, descriptions of violent conduct, and

graphic videos depicting violence. Students must determine before attending the first session whether they will be able to both read and listen to this material and discuss these sensitive and often triggering topics in an academic setting and that they can do so with the utmost respect and sensitivity.

Course Learning Outcomes:

By the end of the course, students should be able to:

- Identify the constitutional and/or statutory authority for hate crime, human trafficking, and color of law legislation.
- Discuss the elements and applicability of hate crime, human trafficking, and color of law statutes.
- Recognize the reach and limitations of current hate crime, human trafficking, and color of law statutes.
- Apply relevant sentencing enhancements and identify related statutes that may influence the sentencing and prosecution of particular hate crime, human trafficking, and color of law violations.

Grading Policies:

Participation: Although a student's final grade will be based upon the exam performance, professors may also raise or lower a student's final grade one step based upon the quality of class participation.

Final Exam 100 %: 100 – Students' grade will be based on one take-home exam at the end of the semester and class participation. Students will have 48 hours to complete the exam once it is "checked out," and the exam will be a combined essay and short answer format with a page limit.

Classroom Policies:

Attendance: Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

Absences: Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

Participation & Preparation:

Students are expected to be prepared for class and to participate in class discussions. Although we usually rely upon volunteers for class discussion, we reserve the right to

call on students. A student's grade will be based upon the exam performance, but professors may also **raise or lower** a student's final grade one step based upon the quality of class participation.

Use of Technology & AI:

The use of Generative Artificial Intelligence tools such as ChatGPT, Cecilia, Claude, CoCounsel, Logikbot, Harvey, LawDriod Copilot, and Spellbook for the purposes of drafting any part of your exam is strictly prohibited. **A violation of this rule is a violation of our academic standards and violators will be subject to disciplinary action.** You may, however, use spelling and grammar check tools integrated into Microsoft Word.

In reading, researching, and preparing for classes, you may use Extractive Artificial Intelligence tools such as Lexis, Westlaw, Bloomberg, FastCase, HeinOnline, and similar legal research databases. To the extent that these services include enhanced Generative AI research tools, that use is prohibited.

Access to Materials During Exams:

Students may use all class materials and may also access any additional materials online during the open book take-home exam. With the exception of the prohibited use of Generative AI (see above), you may use any materials to assist you in analyzing, researching, and writing the exam.

Course Schedule & Assignments

Class 1:

Date: January 15, 2026 (TH)

Topic: **Welcome and Introductions**

Assignment(s): No readings

Class 2:

Date: January 20, 2026 (TU)

Topic: **Hate Crimes: Introduction**

Assignment(s): *Virginia v. Black*, 538 U.S. 343 (2003); *United States v. Miller*, 767 F.3d 585 (6th Cir. 2014)

Class 3:

Date: January 22, 2026 (TH)

Topic: **Hate Crimes: Constitutional/statutory authority**

Assignment(s): U.S. Const. amend. XIII (13th Amendment); U.S. Const. Art. I, § 8, Cl. 3 (Interstate Commerce Clause); *Jones v. Alfred H. Meyer*, 392 U.S. 402 (1968); *Heart of Atlanta Motel v. United States*, 379 U.S. 241 (1964); 18 U.S.C. § 7 (Property Clause); Indictment, *United States v. Mangampat*, 3:19-cr-68 (D.V.I.); Indictment, *United States v. Simonson, et al.*, 3:21-cr-50064 (N.D. Ill.)

Class 4:

Date: January 27, 2026 (TU)

Topic: **Hate Crimes: The first federal hate crime statutes of the modern era**

Assignment(s): 42 U.S.C. § 3631; 18 U.S.C. § 245; *United States v. Dunnaway*, 88 F.3d 617 (8th Cir. 1996); *United States v. McClinnis*, 976 F.2d 1226 (9th Cir. 1992)

Class 5:

Date: January 29, 2026 (TH)

Topic: **Hate Crimes: The Church Arson Prevention Act**

Assignment(s): 18 U.S.C. § 247; *United States v. Roof*, 10 F.4th 314, **380-387 only** (4th Cir. 2021); *United States v. Sauer*, 198 F.3d 248, 1999 WL 1021582 (6th Cir. 1999); **OPTIONAL**: *United States v. Ballinger*, 395 F.3d 1218 (11th Cir. 2005) (en banc)

Class 6:

Date: February 3, 2026 (TU)

Topic: **Hate Crimes: The Matthew Shepard and James Byrd Jr. Hate Crime Prevention Act**

Assignment(s): 18 U.S.C. § 249; 24 U.S.C. § 30501; *United States v. Hatch*, 722 F.3d 1193 (10th Cir. 2013); *United States v. Metcalf*, 881 F.3d 641 (8th Cir. 2018); Indictment, *United States v. Fields*, 3:18-cr-11 (W.D. Va.)

Class 7:

Date: February 5, 2026 (TH)

Topic: **Hate Crimes: Shepard-Byrd (con't)**

Assignment(s): *United States v. Jenkins*, 909 F. Supp. 2d 758 (E.D. Ky. 2012); *United States v. Beckham*, 2019 WL 2869189 (M.D. Tenn. July 3, 2019); *United States v. Howald*, 2023 WL 3003816 (D. Mont. Apr. 19, 2023) **OPTIONAL**: *United States v. Hill*, 927 F.3d 188 (4th Cir. 2019)

Class 8:

Date: February 10, 2026 (TU)

Topic: **Hate Crimes: Hate crime conspiracies and sentencing enhancements**

Assignment(s): 18 U.S.C. § 241; *United States v. Epley*, 52 F.3d 571 (6th Cir. 1995); *United States v. Johnson*, 390 U.S. 563 (1968); *United States v. DiNome*, 954 F.2d 839 (2d Cir. 1992); *United States v. McDermott*, 29 F.3d 404 (8th Cir. 1994); United States Sentencing Guidelines §3A1.1; *United States v. Horsting*, 204 F. App'x 441 (5th Cir. 2006)

Class 9:

Date: February 12, 2026 (TH)

Topic: **Hate Crimes: A look at non-hate crime statutes**

Assignment(s): 18 U.S.C. § 248; *United States v. Weslin*, 156 F.3d 292 (2d Cir. 1998); *United States v. Soderna*, 82 F.3d 1370 (7th Cir. 1996); Superseding Indictment, *United States v. Freestone, et al.*, 8:23-cr-00025 (M.D. Fla.); 18 U.S.C. §§ 875(c), 876(c); 18 U.S.C. §§ 844(h), (i); 18 U.S.C. § 113; and 18 U.S.C. § 1111(b); **OPTIONAL:** *United States v. Gallagher*, 2023 WL 4317264 (M.D. Tenn. July 3, 2023)

Class 10:

Date: February 17, 2026 (TU)

Topic: **Human Trafficking: Introduction & Fundamentals**

Assignment(s): 18 U.S.C. §§ 1589-1594; USA Human Trafficking Bulletin—Human Trafficking: Fundamentals & The Survivor-Centered, Trauma-Informed Approach (pp. 3-15 & 39-43); John Cotton Richmond, Human Trafficking: Understanding the Law and Deconstructing Myths, 60 St. Louis U. L.J. 1, 41 (2015); *United States v. Kozminski*, 487 U.S. 931 (1988); Human Trafficking: Root Causes, Alliance to End Human Trafficking (2024)

Class 11:

Date: February 19, 2026 (TH)

Topic: **Human Trafficking: Coercion**

Assignment(s): *United States v. Dann*, 652 F.3d 1160 (9th Cir. 2011); *United States v. Purcell*, 967 F.3d 159 (2d Cir. 2020) (Background & Part II.C of Discussion); *United States v. Mack*, 808 F.3d 1074 (6th Cir. 2015); Vasantha Rao, Recognizing & Understanding Nonviolent Coercion in Human Trafficking Cases, 70 DOJ J. Fed. L. & Prac. 321 (March 2022)

Class 12:

Date: February 24, 2026 (TU)

Topic: **Human Trafficking: Sex Trafficking**

Assignment(s): *United States v. Jungers*, 702 F.3d 1066 (2013); *United States v. Bazar*, 747 F. App'x 454 (9th Cir. 2018); *United States v. Evans*, 476 F.3d 1176 (11th Cir. 2007); *United States v. Bixler*, No. 21-5194, 2022 WL 247740 (6th Cir. Jan. 27, 2022); *United States v. Session*, Trial Brief (Section on Interstate Commerce)

Class 13:

Date: February 26, 2026 (TH)

Topic: **Human Trafficking: Sex Trafficking (con't)**

Assignment(s): *United States v. Flanders*, 752 F.3d 1317 (11th Cir. 2014); *United States v. Whyte*, 928 F.3d 1317 (11th Cir. 2019); *United States v. Wearing*, 865 F.3d 553 (7th Cir. 2017); *United States v. Patel*, No. 13-286 (E.D. La. 2015), Plea

Agreement; USA Human Trafficking Bulletin— Federal Rule of Evidence 412: Admissibility of Prior and Subsequent Prostitution Evidence in Sex Trafficking Prosecutions (pp. 67-78)

Class 14:

Date: March 3, 2026 (TU)

Topic: **Human Trafficking: Forced Labor**

Assignment(s): *United States v. Kaufman*, 546 F.3d 1242 (10th Cir. 2008); *United States v. Calimlim*, 538 F.3d 706 (7th Cir. 2008); *United States v. Callahan*, 801 F.3d 606 (6th Cir. 2015); Guardian Article on Operation Blooming Onion—"A lot of abuse for little pay': how US farming profits from exploitation and brutality," (Dec. 2021); "Exploitation and Trafficking of Agricultural Workers During the Pandemic," Polaris (June 2021);

Class 15:

Date: March 5, 2026 (TH)

Topic: **Human Trafficking: Forced Labor (con't)**

Assignment(s): *United States v. Toviave*, 761 F.3d 623 (2014); *United States v. Toure*, 965 F.3d 393 (5th Cir. 2020); *United States v. Bolarinwa*, Trial Brief; *United States v. Luong*, 125 F.4th 147, 158 (4th Cir. 2025); UNOI Indictment (2021); *United States v. Ranieri*, No. 20-3520-CR, 2022 WL 17544087 (2d Cir. Dec. 9, 2022)

Spring Break: No Classes Week of March 9

Class 16:

Date: March 17, 2026 (TU)

Topic: **Human Trafficking: Charging Strategies & Sentencing Issues**

Assignment(s): USA Human Trafficking Bulletin—Chapter 77 and Beyond: Charging Strategies in Human Trafficking Cases (only read pp. 49-57, starting with Section IV); USA Human Trafficking Bulletin— Understanding and Applying the Sentencing Guidelines for Trafficking and Related Convictions (pp. 105-114); *United States v. Carter*, 960 F.3d 1007 (8th Cir. 2020); *United States v. Royal*, 442 F. App'x 794 (4th Cir. 2011)

Class 17:

Date: March 19, 2026 (TH)

Topic: **Human Trafficking: Restitution**

Assignment(s): Brandy Wagstaff, *Securing Restitution for Victims of Human Trafficking*, 70 DOJ J. of Fed. Law & Practice 339 (March 2022); *United States v. Anthony*, 39 F.4th 1247 (10th Cir. 2022); *United States v. Edwards*, 995 F.3d 342 (4th Cir. 2021)

Class 18:

Date: March 24, 2026 (TU)

Topic: **Color of Law: Introduction**

Assignment(s): 18 U.S.C. §§ 241 & 242 *Screws v. United States*, 325 U.S. 91 (1945); *Griffin v. Maryland*, 378 U.S. 130 (1964); *United States v. Price*, 383 U.S. 787 (1966)

Class 19:

Date: March 26, 2026 (TH)

Topic: **Color of Law: Fourth Amendment**

Assignment(s): *Graham v. Connor*, 490 U.S. 386 (1989); *Tennessee v. Garner*, 471 U.S. 1 (1985); *DeShaney v. Winnebago Cty. Dep't of Soc. Servs.*, 489 U.S. 189 (1989); Indictment, *United States v. Slager*, No. 2:16-cr-378 (D.S.C.); Indictment, *United States v. Huntley*, 3:18-cr-08-WKW (M.D. Ala.)

Class 20:

Date: March 31, 2026 (TU)

Topic: **Color of Law: Fourth Amendment (con't)**

Assignment(s): *Soldal v. Cook Cty.*, 506 U.S. 56 (1992); *Fontana v. Haskin*, 262 F.3d 871 (9th Cir. 2001); *Olsen v. Layton Hills Mall*, 312 F.3d 1304 (10th Cir. 2002); Indictment, *United States v. Kostopoulos*, No. 15-20459 (S.D. Fla.)

Class 21:

Date: April 2, 2026 (TU)

Topic: **Color of Law: Eighth Amendment**

Assignment(s): *Hudson v. McMillian*, 503 U.S. 1 (1992); *Farmer v. Brennan*, 511 U.S. 825 (1994); *Hope v. Pelzer*, 536 U.S. 730 (2002); Indictment, *United States v. Reynolds*, No. 1:18-cr-20953 (S.D. Fla.)

Class 22:

Date: April 7, 2026 (TH)

Topic: **Color of Law: Fourteenth Amendment**

Assignment(s): *Kingsley v. Hendrickson*, 576 U.S. 389 (2015); *Bell v. Wolfish*, 441 U.S. 520 (1979); *Alexander v. DeAngelo*, 329 F.3d 912 (7th Cir. 2003); Indictment, *United States v. Yates*, No. 5:20-cr-00075 (S.D.W.V.)

Class 23:

Date: April 9, 2026 (TH)

Topic: **Color of Law: First Amendment; Special Topics**

Assignment(s): *Houston v. Hill*, 482 U.S. 451 (1987); *Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011); *Garrity v. New Jersey*, 385 U.S. 493 (1967); *United States v. Mohr*, 318 F.3d 613 (4th Cir. 2003); *United States v. Cobb*, 905 F.2d 784 (4th Cir. 1990); Fed. R. Evid. 404

Class 24:

Date: April 14, 2026 (TU)

Topic: **Color of Law: Non-Color of Law Statutes; Sentencing Issues**

Assignment(s): 18 U.S.C. §§ 1519, 1512, 1001; *Fowler v. United States*, 563 U.S. 668 (2011); United States Sentencing Guidelines §§ 2H1.1, 2A2.2, 3A1.3, 3B1.1, 3B1.2 & 3C1.1 and application notes

Class 25:

Date: April 16, 2026 (TH)

Topic: **Color of Law: Civil Law Analogues and Issues**

Assignment(s): 42 U.S.C. § 14141; Find a news article representing a potential § 242 violation and be prepared to discuss

Exam Review:

Date: April 21, 2026 (TU)

Topic: **COURSE REVIEW**

Assignment(s): No readings

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703 -380-1434 or Counseling and Psychological Services (CAPS) at 703 -993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703 -993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)