



GEORGETOWN UNIVERSITY LAW CENTER - Office Memorandum

DATE: February 12, 2025
TO: Interested students, fellows, interns, and others
From: Abbe Smith

Some of you have expressed interest in what I regard as “must-see” films about the criminal legal system. Here is my list-in-progress:

13th (Netflix, 2016) (Ava Duvernay sheds light on the ravages of the US prison system with her harrowing documentary. Duvernay argues that when the 13th Amendment abolished slavery or servitude, it provided a loophole that allowed these things as punishment for crime. The documentary examines the disproportionate incarceration of African-Americans historically and now.)

The Accused (Paramount Pictures, 1988) (Feature film starring Jodie Foster and Kelly McGillis based on a real New Bedford, Massachusetts case in which a woman is brutally raped by three men in a bar while other men watch and cheer.)

And Justice for All (Columbia Pictures, 1979) (Al Pacino as an idealistic young criminal defense lawyer struggling to do good in a corrupt system.)

Anatomy of a Fall (Les Films Palleas, 2023) (interesting, complex film about a writer played by the brilliant Sandra Huller trying to prove her innocence in her husband’s death).

Anatomy of a Murder (Columbia Pictures, 1959) (Classic courtroom drama directed by Otto Preminger, featuring Jimmy Stewart as the defense lawyer and Ben Gazzara as an army lieutenant accused of murder. Features the “third question” in Monroe Freedman’s well-known law review article “The Three Hardest Questions”—whether it’s ethical to give advice that might give rise to perjury.)

Bernie (Castle Rock Entertainment, 2011) (True-crime story comedy/drama with a remarkable performance by Jack Black as a small-town associate funeral director who is driven to murder by a wealthy widow played by Shirley MacLaine. Matthew McConaughey shines in an understated performance as the local prosecutor. Defendant’s testimony—in manner and content—seemed to seal his conviction.)

BlacKkKlansman (Focus Features, 2018) (John David Washington as Ron Stallworth, an African American police officer from Colorado Springs, CO, who successfully manages to infiltrate the local Ku Klux Klan branch with the help of a Jewish colleague played by Adam Driver. A Spike Lee film with Lee at his most unapologetically political.)

Breaker Morant (7 Network, 1980) (The story of the court martial of 3 Australian lieutenants for killing prisoners during the Boer War. The accused are scapegoats who had been ordered to kill prisoners by their superior officers. Features an excellent cross-examination by a seemingly ill-prepared criminal lawyer.)

Brother's Keeper (American Playhouse, 1992) (Documentary about four elderly, semi-literate farmer brothers in Munnsville, NY, and the prosecution of one brother for the murder of another.)

Capernaum (Mooz Films, 2018) (Capernaum, which means "chaos," tells the story of Zain, a 12-year-old Lebanese boy who sues his parents for the crime of giving him life when they clearly didn't want him and failed utterly to care for him (and his siblings). He goes from street-smart child to hardened pre-teen fleeing his negligent parents and joining forces with an Ethiopian migrant worker who provides him with shelter and food in exchange for Zain taking care of her baby son.)

Capturing the Friedmans (Magnolia Pictures, 2003) (Documentary about the prosecution of father and son Arnold and Jesse Friedman for molesting boys in Great Neck, NY in the 1980s. Haunting questions are raised about child abuse witch hunts. Damning portrait of an upper-middle class American family.)

The Central Park Five (PBS/Sundance Selects, 2012) (Ken Burns, Sarah Burns and David McMahon examine the 1989 case of five teenagers who were wrongfully convicted of raping a woman in Central Park. After they had spent from 6 to 13 years in prison, a serial rapist confessed to the crime.)

Clemency (Universal Pictures, 2019) (Alfre Woodard in a splendid performance as a prison warden confronting psychological and emotional demons as she prepares to execute another prisoner.)

The Conspirator (American Film Company, 2010) (Robert Redford's film about the woman arrested and charged with conspiring to kill President Abraham Lincoln).

Criminal Justice (HBO, 1990) (A compelling and unusually accurate criminal justice story of a man accused of a brutal assault and robbery. Stars Forest Whitaker, Rosie Perez, Anthony LaPaglia, and Jennifer Grey.)

A Cry in the Dark (Warner Bros., 1988) (Fred Schepisi film based on the true story of the prosecution of Lindy Chamberlain, wrongly accused of killing her baby in outback Australia. Also starring Sam Neill.)

Daughters (Netflix, 2024) (moving documentary film about young girls and their incarcerated dads preparing for a daddy-daughter dance held at the DC Jail).

Dead Man Walking (Polygram, 1995) (Tim Robbins' brilliant screen version of Sister Helen Prejean's book about the relationship between a nun and a man convicted of capital murder. Excellent performances by Sean Penn and Susan Sarandon.)

The Defiant Ones (United Artists, 1958) (Story of two escaped convicts, one black and one white, played by Sidney Poitier and Tony Curtis.)

A Few Good Men (Castle Rock Entertainment/Columbia Pictures, 1992) (Courtroom thriller about a Navy lawyer and two associates who defend two marines accused of murdering a fellow marine. Features Tom Cruise's memorable "cross-examination" of Jack Nicholson and Demi Moore's "strenuous objection.")

Fargo (Gramercy Pictures, 1996) (Classic Coen brothers film about a hapless murderer, played by William H. Macy, and the wily police officer who pursues him, played by Frances McDormand.)

Frozen River (Sony Pictures, 2008) (featuring Academy Award nominated performance by Melissa Leo as a single mom who is lured into the world of border smuggling between a Mohawk reservation in upstate New York and Quebec.)

Fruitvale Station (Forest Whitaker's Significant Productions, 2013) (Ryan Coogler's powerful debut film about the last day in the life of Oscar Grant III, played by Michael B. Jordan, who was shot and killed by a Oakland police officer in the early hours of New Year's Day, 2009. Octavia Spencer plays Grant's mother.)

The Four Hundred Blows (Les Films du Carrosse, 1959) (Truffaut's masterpiece about a misunderstood young adolescent who runs away from home and supports himself on the streets through petty crime.)

Gideon's Army (HBO Documentary Films/Motto Pictures/Trilogy Films, 2013) (documentary about the challenges facing public defenders in the Deep South and the efforts of organizations like Gideon's Promise to improve the quality of indigent defense. Note: Abbe has significant criticisms of this portrayal of public defenders.)

The Green Mile (Castle Rock Entertainment/Warner Bros., 1999) (One of two great Stephen King prison movies. This one is about death row guards affected by one of their

charges— a black man accused of child murder and rape who has a mysterious gift. With Tom Hanks, Michael Clarke Duncan, David Morse, and Bonnie Hunt. See *Shawshank Redemption* for the other Stephen King prison movie.)

The House I Live In (Charlotte Street Films, 2012) (Moving personal voice documentary in which white filmmaker Eugene Jarecki looks at the effect of the war on drugs and mass incarceration on his African American nanny/housekeeper's family.)

I've Loved You So Long (YGC YM/France 3 Cinema, 2008) (French film about a woman recently released from prison with a brilliant performance by Kristin Scott Thomas).

In Cold Blood (Columbia Pictures, 1967) (Film version of Truman Capote's brilliant book about two drifters who break into the home of a wealthy farmer in Holcolm, Kansas, killing all 4 members of the family. Robert Blake—later accused of murder himself—plays killer Perry Smith.)

Infamous (Warner Independent Pictures, 2006) (Story of the writing of *In Cold Blood* focusing on Truman Capote's complicated relationship with killers Dick Hickock and especially Perry Smith).

In the Bedroom (Miramax Films, 2001) (based on an Andre Dubus story about the murder of a young man by his older girlfriend's abusive ex-husband. Older girlfriend brilliantly played by Marisa Tomei).

Innocence Lost Trilogy (PBS Frontline 1991, 1993, 1997—*Innocence Lost*, *Innocence Lost: The Verdict*, *Innocence Lost: The Plea*) (Ofra Bikel's masterpiece documentary recounting charges of sexual abuse at a day-care center in the small town of Edenton, North Carolina., and the trials that resulted—one of several high profile cases arising out of the day care sex abuse hysteria of the 1980s and 90s).

The Jinx: The Life and Deaths of Robert Durst (HBO, 2015) (Documentary film written by Andrew Jarecki, Marc Smerling, and Zachary Stuart-Pontier and directed by Jarecki, about the unsolved 1982 disappearance of Durst's wife Kathie and the 2000 and 2001 killings of others connected to Durst, who is the son of a New York City real estate mogul).

The Judge (Warner Bros. 2014) (Robert Downey, Jr., Robert Duvall, Vera Farmiga star in this surprisingly engaging and well-acted feature film about a successful defense lawyer who represents his judge father accused of murder in small town Indiana. Includes a great voir dire scene).

Just Mercy (Warner Bros., 2019) (Michael B. Jordan plays Bryan Stevenson in the movie version of his best-selling book).

Kids For Cash (SenArt Films, 2013) (Robert May's documentary about a Wilkes-Barre, Pennsylvania judge who received kickbacks for sending juvenile offenders to detention centers for minor crimes)

Let Him Have It (British Screen Productions, 1991) (Riveting story of a miscarriage of justice in 1950s England. Includes a good cross-examination of a police officer.)

The Lincoln Lawyer (Lionsgate, 2011) (Movie version of Michael Connelly novel about a defense lawyer who works out of his Lincoln and represents a wealthy realtor accusing of brutally raping and physically assaulting a prostitute, a case that turns out to be linked to an old case of his).

Making a Murderer (Netflix, 2016) (Documentary about the prosecution of Steven Avery and Brendan Dassey, accused of murdering photographer Theresa Halbach in Manitowoc County, Wisconsin. Good defense lawyering for adult defendant Avery, who paid for counsel out of money awarded after a previous wrongful conviction for rape, and appalling court-appointed counsel for the juvenile Dassey).

Marshall (Starlight Media, 2017) (Feature film about a young Thurgood Marshall, working as a lawyer for the NAACP, who takes on the defense of a black chauffeur accused of sexual assault and attempted murder in Connecticut. He teams up with a local Jewish lawyer, Sam Friedman, because Marshall is not a member of the Connecticut bar and was not allowed to try the case *pro hac vice*. Friedman has never tried a criminal case and is mentored by Marshall.)

Monster (Sony Pictures, 2003) (Charlize Theron's performance-of-a-lifetime as prostitute and convicted killer Aileen Wuornos.)

Murder in the First (Warner Brothers Pictures, 1995) (Story of the brutal incarceration of a Depression-era Alcatraz prisoner and the prisoner's relationship with a young public defender who is assigned to represent him. Terrific performances by Kevin Bacon and Kyra Sedgwick.)

Murder on a Sunday Morning (HBO, 2001) (Academy award winning documentary about the wrongful prosecution of a 15-year-old African American boy for the murder of a tourist in Jacksonville, FL.)

My Cousin Vinny (20th Century Fox, 1992) (Joe Pesci and Marisa Tomei star in the best all-time courtroom comedy. Great cross-examination scenes and the best direct examination of an expert witness on film. Tomei won an Academy Award for her performance.)

The Night Of (HBO, 2016) (John Turturro, Riz Ahmed, Michael Kenneth Williams, Bill Camp, Jeannie Berlin star in this eight-part crime drama miniseries based on "Criminal Justice," a 2008-08 British television series. Written by Richard Price and Steven Zaillian and directed by Zaillian, the story involves the murder of a complicated, attractive, self-destructive woman and the prosecution of a young Pakistani-American who had a one-night stand with her. Turturro plays a memorable down-on-his-luck defense lawyer.)

OJ: Made in America (ESPN Films, 2016) (documentary by Ezra Edelman, first released as a 5-part miniseries but also released in theatrical format. It explores race and celebrity through the life of O.J. Simpson.)

An Ordinary Crime (PBS Frontline, 2002) (Ofra Bikel's memorable documentary about a wrongful conviction of a young man who happened to have the same first name as the true perpetrator of a robbery and shooting. Features a guilty but appealing co-defendant who recounts how "ordinary" injustice can be.)

The Ox-Bow Incident (Twentieth Century Fox, 1943) (Based on the novel by Walter Van Tilburg Clark, this is part western, part social commentary as a group of angry men argue about a criminal's punishment. Starring Henry Fonda, Anthony Quinn, and Dana Andrews.)

Paradise Lost: Child Murders at Robin Hood (HBO, 1996) (Documentary about a triple child murder in West Memphis, Arkansas, and the 3 teens accused. The teens were said to be involved in "Satanism.")

Pixote (Embrafilme, 1981) (Story of a runaway 10-year-old boy who lives on the streets of Sao Paulo, Brazil, amidst youth gangs, crime, and prostitution, and spends time in a youth detention facility.)

Philly D.A. (PBS, 2021) (Documentary about civil rights lawyer Larry Krasner trying to end mass incarceration by taking over the district attorney's office in Philadelphia).

The Plea (PBS Frontline, 2004) (Ofra Bikel's fine documentary about plea bargaining in America, and the toll it takes on the innocent).

Shawshank Redemption (Castlerock/Columbia Pictures, 1994). (Classic prison buddy film, with a brilliant scene about the problem of "hope" in prison, starring Tim Robbins and Morgan Freeman, based on a short story by Stephen King.)

SherryBaby (Big Beach Films, 2006) (Story of a just-released drug offender and her struggles to reconnect with her family and stay straight. Terrific performance by Maggie Gyllenhaal.)

Shoplifters (AOI Promotion/Fuji Television Network, 2018) (A make-shift Japanese family living on the edge of society because of jobs that don't pay enough avail themselves of the fruits of shoplifting to make ends meet and teach the younger members of the household to do the same, including a neglected young girl who joins the "family.")

Sing Sing (Black Bear, 2023) (feature film starring Colman Domingo about a theater program at Sing Sing Prison in Westchester County, NY, based on the real program and featuring non-professional actors from the prison).

The Staircase (Lion's Gate/Sundance, 2007) (documentary on the high profile murder trial of NC author Michael Peterson who was charged with the murder of his wife after her body was discovered lying in a pool of blood on the stairway of the couple's upscale Durham home.)

Slam (Trimark Pictures, 1998) (Story of a would-be urban poet who gets caught up in a drug deal gone bad, which sucks him into the criminal justice system in Washington, DC. Some scenes filmed in the DC Jail.)

Straight Out of Brooklyn (Samuel Goldwyn, 1991) (Story of a teenager raised struggling to find himself amidst poverty, drugs, and domestic violence.)

Take the Money and Run (ABC Pictures, 1969) (Woody Allen's mockumentary film about the life of Virgil Starkwell, an inept bank robber. Partly filmed at San Quentin State Prison.)

The Thin Blue Line (Miramax Films, 1988) (Errol Morris' gripping documentary about a man wrongly convicted of murder in Dallas County, Texas. The film led to the exoneration and release of the convicted man, Randall Adams. Original music by Phillip Glass.)

Time (Concordia/Amazon Films, 2020) (Documentary produced and directed by Garrett Bradley that follows Sibil Fox Richardson fighting for the release of her husband Rob, who is serving a 60-year sentence for a misguided armed robbery of a small local bank. Captures the time that passes when a loved one is in prison.)

Time: The Kalief Browder Story (Cinemart/Weinstein Company/Netflix, 2017.) (Documentary about one of the most heartbreaking cases of injustice ever. Browder was a Bronx teenager who spent 3 years at Rikers Island waiting for trial for allegedly stealing a backpack. He was so haunted by what he endured at Rikers that he took his own life shortly after his release.)

A Time to Kill (Warner Bros., 1996) (Matthew McConaughey plays a defense lawyer defending a father (Samuel L. Jackson) accused of murdering two white men who raped his 10-year-old daughter).

Titicut Follies (Ziporah Films, 1967) (Documentary filmmaker Frederick Wiseman takes viewers inside the Massachusetts Correctional Institution, Bridgewater where people stay trapped in their madness.)

To Kill a Mockingbird (Universal Pictures, 1962) (The film—and novel—that inspired a generation and more of criminal lawyers. Iconic performance by Gregory Peck as defense lawyer Atticus Finch.)

True Believer (Columbia Pictures, 1989) (Story of burned-out criminal lawyer who takes on the case of a man who may be innocent. Great role for James Woods even though he looks ridiculous in a ponytail.)

The Trial of the Chicago 7 (Paramount/Dreamworks/Netflix, 2020) (Aaron Sorkin film about the famous trial of anti-Vietnam War activists prosecuted for inciting a riot at the 1968 Democratic Convention in Chicago. Great ensemble cast.)

Twelve Angry Men (United Artists, 1957) (Sidney Lumet’s brilliantly directed story of jury deliberations in a murder case. Henry Fonda’s signature performance.)

What I Want My Words To Do to You (PBS, 2003) (Documentary film about playwright Eve Ensler’s writing workshop at Bedford Hills Prison in New York. The women—larger lifers convicted of murder—write about themselves and their crimes and read what they write to the other workshop participants. Their writing is later performed by actresses Glenn Close, Hazelle Goodman, Rosie Perez, and Marisa Tomei before a large audience of women incarcerated at the maximum security prison).

When They See Us (Netflix, 2019) (Riveting and disturbing dramatic film series about the Central Park Five case, directed by Ava DuVernay and featuring brilliant performances by a diverse cast of fine actors).

Whose Streets (Magnolia Pictures, 2017) (Documentary film about the killing of Michael Brown and the Ferguson uprising—a testament to the commitment of activists whose credo is “We have nothing to lose but our chains,” told in their own passionate voices).

Witness for the Prosecution (United Artists, 1957) (Classic English courtroom drama about a man accused of murdering a wealthy widow who had taken a fancy to him and left him her inheritance.)

The Winslow Boy (Sony Pictures Classics, 1999) (David Mamet directed this drama that takes place in early 20th century England, about the royal naval academy expelling a 14-year old boy for stealing five shillings, and his father’s quest to vindicate him).

The Woodsman (Dash Films, 2004) (Nuanced portrayal of a just-released convicted child abuser and his struggles to stay straight. Terrific performances by Kevin Bacon, Kyra Sedgwick, and Mos Def.)

The Wrong Man (Warner Brothers, 1956) (Alfred Hitchcock's haunting tale of a man wrongly accused of robbery, starring Henry Fonda and Vera Miles. Based on a true story.)