Some possible topicality arguments for the 2020-21 resolution:

Resolved: The United States federal government should enact substantial criminal justice reform in the United States in one or more of the following: forensic science, policing, sentencing.

A look at negative topicality arguments provided by Rich Edwards, Baylor University
“Enact” means congressional action, not action by a court.


The courts do not enact the laws; that is the responsibility of Congress. Nor do the courts have the power to enforce the laws; that is the role of the President and the many executive branch departments and agencies.
“Sentencing” refers only to the post-conviction phases of a criminal trial – the resolution gives no power to change what is legal or illegal, but only the penalty for illegality.


Sentencing: the phase of court processes at which the defendant is punished. In many felony cases, the presiding judge uses a presentence investigation report for assistance in arriving at a more just sentence. Sentencing options include prison or jail terms, probation, fines, or other alternatives.
“Policing” refers to those whose job it is to make sure that people obey the law – the resolution gives no power to change what is legal or illegal, but only the policing of existing laws.


Policing: The people who work for an official organization whose job is to catch criminals and make sure that people obey the law.
“Substantial” means that the affirmative plan must offer a big change, rather than minor ones – numerous proposed changes are "incremental" in nature, rather than "substantial."


In recent years, there has been growing consensus across ideological lines to address mass incarceration. Yet, policy changes are incremental in approach and do not achieve the substantial reforms needed to significantly reduce the rate of incarceration and its collateral impacts. Incremental policy reforms include: reducing the quantity differential between crack and powder cocaine that results in racially disparate sentencing outcomes at the federal level and in certain states; reclassifying certain felony offenses to misdemeanors; expanding voting rights and access to public benefits for persons with felony convictions; and adopting fair chance hiring policies for persons with criminal records.
Deportation of immigrants is a matter of civil, rather than criminal law; affirmative cases that attempt to halt deportation of immigrants would be nontopical.


The Supreme Court has explained that immigration arrests that initiate deportation proceedings are civil in nature.

We still do need police, the argument goes, but policing as we know it is so broken that departments can’t simply be reformed. It will take scrapping our current police forces to allow a new and better version to emerge.
The “federal government” is the agent of action in the resolution; affirmative plans may not “enact reform” in state and local police forces.


The federalized system of government in the United States limits the influence Congress can have over state and local law enforcement policies. The U.S. Constitution established a federal government of limited powers. A general police power is not among them. That authority is largely reserved for the states.
CRIMINAL JUSTICE TOPIC: TOPICALITY ARGUMENTS