

## Literal Lyrics: How long should “The Notorious B.I.G.” have been in prison?

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23/04/2018

### Abstract

This paper investigates the jail time Christopher George Latore Wallace “The Notorious B.I.G.”; an American hip-hop artist, would receive if all illegal claims in his first album were taken literally. This was calculated using the law of his birthplace - New York. It was determined that the maximum and minimum prison sentences he would attain are 724 years and 143 years respectively. This was extrapolated, showing the maximum prison sentence he would receive to be 6086 years if he were still alive and released albums at a consistent rate to the present day.

### Introduction

Hip-hop, the music genre that incorporates rapping over a rhythmic backing track, is one of the largest and arguably most diverse musical genres of the modern day. In 2017 R&B/Hip-Hop comprised 24.5 % of all music consumption in the US, surpassing rock to become the most consumed genre [1]. Christopher George Latore Wallace, otherwise known as “The Notorious B.I.G.”, is widely considered one of the most influential and gifted artists to have contributed to this scene [2]. Known in part for his more aggressive Gangster rap style, Wallace’s lyrics are often laden with expletives and violence. Having been arrested for weapons charges, crack cocaine dealing and violence, it seems plausible that not all lyrical claims made by Wallace are fictional [3, 4]. This paper investigates the prison time Wallace would receive if all illegal claims made on his first album, “Ready to Die”, were true [5].



Figure 1 – Christopher Wallace – The Notorious B.I.G. [6]

### Theory

Criminal sentencing in the USA is dependent on state law; as Wallace was born in Brooklyn, New York (NY)

state law is used to determine sentencing duration for the various crimes. NY prison sentencing may be received for misdemeanours, where the maximum jail time is one year, or felonies, where the maximum jail time is life imprisonment. Sentence duration is determined based on the severity of crime – the minimum and maximum sentences for each class of offence are displayed in table 1.

Class of Felony	Sentence Duration	
	Minimum	Maximum
Class A Violent Felony	25 years	Life
Class B Violent Felony	5 years	25 years
Class B Non-Violent Felony	1 Year	25 Years
Class C Violent Felony	3 1/2 Years	15 Years
Class C Non-Violent Felony	0 Years	15 Years
Class D Violent Felony	2 Years	7 Years
Class D Non-Violent Felony	0 Year	7 Years
Class E Violent Felony	0 Years	4 Years
Class E Non-Violent Felony	0 Years	4 Years
Class A Misdemeanour	0 Years	1 Year
Class B Misdemeanour	0 Years	90 Days

Table 1 – Shows class of offence and rough maximum and minimum sentencing under NY state law [7].

Note that only Class A and B misdemeanours are considered, as lesser misdemeanours are either determined by the court or have a negligible

duration. Life imprisonment (LI) is assumed to be without parole, hence equalling the average life expectancy of an African American male from New York minus Wallace’s age at album release (equation 1) [8]:

$$LI = Av. Life Expectancy - Wallace's Age \quad (1)$$

$$\therefore LI_{First Album} = 74 - 22 = 52 \text{ Years}$$

As each offence is unique in nature, exact sentence duration cannot be determined without a full court hearing. Due to this, the rough minimum and maximum sentencing durations have been calculated for each offence. NY state enacts a three-strike law, meaning repeat offences are given a significantly increased minimum and maximum sentence, up to life imprisonment [9, 7]. As the magnitude of the increase is based on the discretion of the court, each crime “committed” by Wallace is treated as a first-time offence. In addition to these assumptions, the ambiguous nature of some songs requires the implementation of the following assumptions:

- If illegal drug use, possession or dealing are mentioned without stating the specific substance, the most commonly mentioned substance within that song is used in place of the unknown substance. If no specific substances are stated within the song and a singular unknown drug is mentioned, then it is assumed to be marijuana, as it is by far the most commonly mentioned substance within Wallace’s music. If multiple unknown drugs are mentioned then the secondary drug in addition to marijuana is assumed to be crack cocaine, as Wallace almost exclusively mentions only these two drugs throughout his 1994 album songs.
- If substance possession is mentioned without giving the quantity, then the minimum felony charge for possession is applied.
- If multiple musicians are present on a single track, then only the lyrics vocalised by Wallace are included in calculations.
- If a song has repeated verses containing the same offence, then this offence is only counted once.

### Results and Discussion

The maximum jail time Wallace would serve based on the illegal claims in his first album was calculated as being 724 years, while the minimum jail time was calculated as being 143 years. A graphical breakdown of the results can be seen in figure 2.

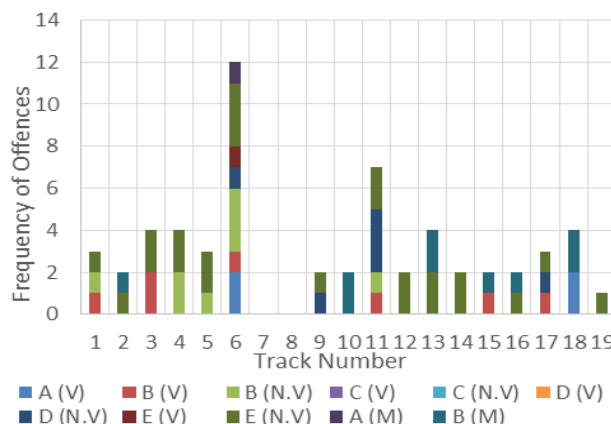


Figure 2 – Frequency of each class of offence committed for each track in the album, where letters represent the class (V = violent), (N.V = non-violent) and (M = misdemeanour).

Figure 2 shows track 6 to have the greatest number of offences – this track alone features one assault to the 1<sup>st</sup> degree, one assault to the 3<sup>rd</sup> degree, one intimidating victim to the 3<sup>rd</sup> degree, one conspiring to the 2<sup>nd</sup> degree, one robbery of the 1<sup>st</sup> degree, two criminal possessions of firearms, one possession of crack cocaine, one possession of and consumption of marijuana, and two 1<sup>st</sup> degree murders. This equals a maximum and minimum sentence of 228 and 58 years respectively for this single track. Wallace released an album in 1994 and another in 1997; at this rate, if he were alive today, he would so far have released 9 albums. Extrapolating from the results of his 1994 album this gives him a maximum present-day sentence of 6086 years, assuming all subsequent albums contained the same frequency of offences. LI values were scaled, decreasing with Wallace’s increasing age at each theoretical album release (equation 1). Wallace’s second album was released only 16 days after he was murdered, hence his death is assumed not to have affected the release date [10]. 6068 years is probably far less than his actual sentence would be considering the NY three-strike law; Dudley Wayne Kyzer attained 10,000 years and two life sentences for committing three 1<sup>st</sup> degree murders in Alabama where a similar three-strike rule applies, showing the potential for additional sentencing duration [11].

### Conclusion

“The Notorious B.I.G.” would receive between approximately 724 and 143 years for the offences committed in his 1994 album. This can be extrapolated to the current day, giving a maximum sentence of 6086 years, assuming his release rate remained constant over the 24 year period since his first album, if his death had not occurred.

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