

EASTERN MICHIGAN UNIVERSITY

Department of Sociology, Anthropology & Criminology

SOC/CRM 412: LAW & SOCIETY Dr P. S. Leighton
W 2012, T-Th 11:00 – 12:15, 307 Pray Harrold
Office: 712 Pray Harrold, 734/487-0012
Office Hours: T & Th 8:30 – 9:30 & 12:15 – 12:45 or by appointment

DESCRIPTION

This class will examine the connections between criminal justice, law and social justice. We will not simply take criminal justice policies, practices and law for granted (as natural and inevitable); but the thrust of this class will be subjecting them to critical evaluation grounded in moral theory and professional ethics. The first part of class will be a review of different moral systems and perspectives on the relationship between crime and harm. These tools are then applied to a variety of topics, including: when we hold people responsible for their actions; whether our criminal law should contain prohibitions on drugs, prostitution, corporate wrongdoing, hate crimes and abortion; police entrapment and discretion; lawyers' ethics and the rights of defendants; chain gangs, corporal punishment and execution; and emerging issues related to the media and technology.

REQUIRED READING

Leighton & Reiman, *Criminal Justice Ethics* (Prentice Hall 2001)

The book order has been placed with Barnes & Noble in McKinney Union, Mike's, Ned's, and Campus Book and Supply. The class webpage links to Amazon.com. Additional (free) readings are required that can be accessed through the class webpage at <http://paulsjusticepage.com> > Classes & EMU > CRM 412

REQUIREMENTS

TEST 1: 50 points

TEST 2: 50 points

In Class Quizzes: 30 points (6 quizzes)

WORKSHEETS: 20 points (2 @ 10 points each)

FINAL: 50

Class Participation Exercises: 5 to 15 points (2 - 4 points each, with number of exercises to be decided by professor)

All **tests** will be a combination of true/false, multiple choice, fill in the blank, matching, short answer (one sentence to a paragraph) and short essay. **No one will be admitted to take the test after the first person has left.** Please make sure your cell phone is turned off. Keep the cell phone and other devices off your desk and remove earphones during tests and quizzes.

No **make-up tests** will be given in this class. Students who have an appropriate

excuse for missing a test can present a typed paper of about 14 – 15 pages that reviews the material and provides information answering all the questions on the review sheet. The paper should not have an introduction and conclusion, but it should indicate the question from the review sheet and answer it. Make-up papers will ONLY be accepted with a note certifying medical care, the death of someone close, or with approval from the professor before the test (certain emergencies are an exception). Make-up papers are normally due two weeks after the test, although there is flexibility for deaths and illness that prevent a timely return to school work. Papers may be subject to late penalties if they are turned in after pre-arranged deadlines. As with other papers (see below) email attachments are not acceptable. Make sure to put answers in your own words. Copying more than four consecutive words from the book requires putting them in quotation marks and including a page number for a citation. Copying blocks of text without quotation marks is plagiarism and academic dishonesty (passing off someone else's work as your own). Consequences range from deductions on this paper to failing the class. (See information and links below.)

A note about **appealing grades**: All requests for a change of grade should be written (typed) and accompanied by a copy of your test. Please note any computational errors, identify pages from the text that support your answer or articulate any ambiguity in the wording of the question that caused problems.

Attendance and participation are part of the grade. Test questions may cover material presented in class that was not covered in the texts and you are responsible for all the information presented. Being present also allows the opportunity to ask questions and further explore areas of interest to you. Consistent and constructive participation in class can help improve your final grade. Part of your grade may involve **class participation exercises**, which will require you to answer several short questions based on a film we watch in class. This is not a quiz in that you are not being graded against a 'right' answer, but your grade will be based on thoughtful and substantive responses to the questions.

Part of your grade will be based on **a series of announced in class quizzes** (see schedule of classes for topics). These will be relatively short, but should try to be specific about the issue, grounds and critique, etc. Since you are expected to be in class regularly, and since the quizzes are announced ahead of time in this document, no make ups will be given. An excused absence is available with a medical excuse or documentation of a family emergency.

The **worksheets** can be downloaded from the class webpage and complete outside of class as you review a required accompanying video. It should be typed and turned in on the day it is due. While you may work with another student, you should both write your own answers. Sharing a word file means several people turn in the same answers and I do not know if everyone has actually done work or if someone is passing off another person's work as their own (which is academic dishonesty and plagiarism – see below).

Extra credit is only available as a bonus question on each test and where noted on the quizzes. Put your time and effort into studying for each assignment because

there will not be an extra credit project during the final month. Remember that class participation exercises are usually not announced, so attending class and paying attention during these assignments will help you earn points. **Importantly**, many current issues relate to the class so clippings from the newspaper and questions about linkages of this material to other social debates is **STRONGLY** encouraged.

Plagiarism is appropriating or imitating the ideas, thoughts and language of another and passing them off as your own. This act occurs when students copy portions of a book (usually more than four consecutive words) without using quotation marks and a citation. It is also plagiarism to copy portions of another student's paper.

More generally, education involves not just getting a degree but a search for truth, which requires honesty and personal integrity. Academic dishonesty, including all forms of cheating and/or plagiarism, will not be tolerated in this class. Penalties for an act of academic dishonesty may range from receiving a failing grade for a particular assignment to receiving a failing grade for the entire course. In addition, you may be referred to the *Office of Student Judicial Services* for discipline that can result in either a suspension or permanent dismissal. The **Student Conduct Code** contains detailed definitions of what constitutes academic dishonesty, but if you are not sure about whether something you're doing would be considered academic dishonesty, consult with the instructor.

Students are expected to abide by the **Student Conduct Code** and assist in creating an environment that is conducive to learning and protects the rights of all members of the University community. Incivility and disruptive behavior will not be tolerated and may result in a request to leave class and referral to the *Office of Student Judicial Services (SJS)* for discipline. Examples of inappropriate classroom conduct include repeatedly arriving late to class, using a cellular telephone, or talking while others are speaking. You may access the Code online at www.emich.edu/sjs.

CELL PHONE POLICY

Having phones ring in class is distracting and really irritating. Turn the ringer off for the brief time we're in class and let voicemail pick up the call. If you are expecting something important (child care, etc), set the phone to vibrate and sit by the door so you can leave easily without disturbing the class.

SCHEDULE OF CLASSES & READINGS

Please read the assignments carefully & note that we are reading some chapters out of order and skipping part or all of others. Most of the readings for quizzes come from the internet; they should be accessed through the class webpage.

References to class webpage mean

<http://paulsjusticepage.com> > **Classes & EMU Info > CRM 412**

Please bookmark this and use it rather than the my.emich.edu page.

Circumstances sometimes require flexibility and students are responsible for any departures from this syllabus that are announced in class. The online syllabus/webpage for this class provides additional information and will be updated throughout the semester.

Date	Required Reading
Jan 10	Introduction & Greeting
Jan 12	<p>Reiman, CJ Ethics; Nash, Teaching Ethics.</p> <p>If Reiman's chapter introducing the moral theories is complex, please use the links on the class webpage (paulsjusticepage.com) to explore the companion information on the internet. Each theory has a summary and additional links to explain key concepts.</p>
Jan 17	Part 1, Bazelon
Jan 19	<p>Part 1, Katz</p> <p>IN CLASS QUIZ #1: The reading by Katz in the required textbook discusses a number of cases involving impossible attempts. Based on your reading of <i>Stephens v Abrahams</i> please answer the following questions: 1) What were the facts giving rise to the case, 2) What was the defendant charged with, and 3) Did the court find him guilty? Why or why not? [4 points]</p>
Jan 24	<p>Part 2, Feinberg p 87 - 88 (skip section 4) & 92 (Mill) - 108. (Class will cover substantial material not in the text)</p> <p>IN CLASS QUIZ #2: In the reading for today in the required textbook, Feinberg discusses 'the presumptive case for liberty.' Drawing from this section of the reading, your quiz will ask: (1) what is the relationship between liberty and self-realization; and (2) what are some of the 'social benefits' that are related to freedom? [4 points]</p>
Jan 26	Part 2 drug debate (Trebach and Inciardi)
Jan 31	Part 2, Prostitution (<i>In re P</i> ; MacKinnon; Committee for Prostitutes' Rights)
Feb 2	<p>Part 2, Hate Crime (<i>Wisc v Mitchell</i>)</p> <p>IN CLASS QUIZ #3: Go to the class webpage (remember paulsjusticepage.com) and find the link for the Findlaw.com column</p>

	<p>about the KKK and the NYPD. The quiz will ask you (1) what facts gave rise to this case and what was at issue here, (2) what were the two theories used by the court to uphold the law, and (3) why does the author of the column critique the court? [6 points]</p>
Feb 7	Part 2, Corporate Violence (Reiman; AMA)
Feb 9	<p>TEST 1 Remember that no one is admitted to the test after the person leaves. See make up option on p 2 if you will miss the class.</p>
Feb 14	Appendix on Codes of Ethics; Part 3, Kleinig
Feb 16	Part 3, Skolnick & Leo
Feb 21	Part 3, Marx; <i>US v Tobias</i>
Feb 23	<p>Part 3, Selective Enforcement (Kleinig, Reiman).</p> <p>IN CLASS QUIZ #4: From the class webpage (paulsjusticepage.com), find the link to the law review article on Why Driving While Black Matters. Examine Part III, where the author lists six specific reasons. The quiz will ask you to review THREE of these reasons <i>as well as their definition or explanation</i>. This material may also be on the test. [6 points]</p>
Feb 27 – Mar 2 – NO CLASSES: WINTER RECESS	
Mar 6	Part 4, Lawyers’ Ethics – Haskell
Mar 8	Part 4, Amar & Cochran debate
Mar 13	<p>Part 4, Weinstein, Kipnis</p> <p>WORKSHEET #1: Go to the class webpage and download a worksheet, then follow the link to watch “The Plea.” Your answers should be typed and are due March 13 at the start of class. DO NOT EMAIL IT TO ME – hardcopy only. Late worksheets will be marked down. [10 points]</p>
Mar 15	<p>TEST 2 Remember that no one is admitted to the test after the person leaves. See make up option on p 2 if you will miss the class.</p>
Mar 20	Part 5, Gorman
Mar 22	<p>Part 5, Newman</p> <p>IN CLASS QUIZ #5: Go to the class webpage and find the link for a discussion of spanking machines. Briefly describe (1) what they are (2) what some people see as the problem with whipping and (3) how the</p>

	spanking machine could promote the administration of justice. [4 points]
Mar 27	Start Part 5: National Council of Churches on death penalty; Nathanson, Reiman, van den Haag exchange; American Medical Association
Mar 29	Finish Part 5: National Council of Churches on death penalty; Nathanson, Reiman, van den Haag exchange; American Medical Association
Apr 3	SPECIAL TOPICS: WRONGFUL CONVICTIONS WORKSHEET #2: Go to the class webpage and download the worksheet then follow the links to answer the questions. (Note, you will need to go to two different websites to complete the worksheet.) Your answers should be typed and are due April 3 at the start of class. DO NOT EMAIL IT TO ME – hardcopy only. Late worksheets will be marked down. [10 points]
Apr 5	Part 6, Strossen & Allen debate
Apr 10	Part 6, Reiman IN CLASS QUIZ #6: Go to the class webpage and find the link for Web Photos That Reveal Secrets. Your quiz will ask: (1) What is a geotag and what does it reveal, 2) what type of equipment produces geotags and what type of services, 3) what is “cybercasing” and 4) why isn’t “protecting your privacy is not just a matter of being aware and personally responsible” and what do you need to do? [6 points]
Apr 12	Part 6, Segal
PLEASE NOTE: Professors do not have regular office hours after the last class. Make sure to get in touch before classes end if you have any issues to resolve. All back work should be turned in before the end of the last class. The late penalty escalates sharply at this point. Work turned in at the final exam will only be counted if you have made prior arrangements with me.	
Apr 17	Part 6, Leighton
Apr 19	Review and catch up
Apr 26	Final Exam - 11:00 – 12:30 No one will be admitted to take the final after the first person has left

I will post final grades to the my.emich system as soon as I have final grades for the entire class. Please check your account rather than email me.

I will not respond to any questions about grades until I have finished final grading for all 3 of my classes, the independent studies, graduate thesis and nonthesis papers for the semester. This sometimes means it will take a week or two after your grade is entered for me to respond to an email.