

# EASTERN MICHIGAN UNIVERSITY

Department of Sociology, Anthropology & Criminology

**SOC/CRM 412: LAW & SOCIETY** Dr. Paul Leighton

W 2016, M-Wed 11:00 – 12:15, 307 Pray Harrold

Office: 712 Pray Harrold, 734/487-0012

Office Hours: Mon & Wed 12:15 - 1:45-2:00; Tues 4:30 – 5:30, 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, and hate crimes; 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 all EMU bookstores. The class webpage links to Amazon.com and has recommendations for other cheap places to buy books.

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: 24 points (4 quizzes)

WORKSHEETS: 21 points (2 worksheets)

FINAL: 50

Class Participation Exercises: 5 to 10 points (2 - 4 points each, with number of exercises to be decided by professor)

You can view your grade through <http://canvas.emich.edu>. (All other references to the class webpage mean paulsjusticepage.com)

All **tests** will be a combination of true/false, multiple choice, fill in the blank, matching, and short answer (one sentence to a paragraph). **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 are only an option in limited circumstances like 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**: 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 involves **class participation exercises**, which require you to answer several short questions based on a film we watch in class.

**Announced in class quizzes** (see schedule of classes for topics). These will be relatively short and require answers for a specific identified reading. 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 for certain medical, work and family situations. Talk to me beforehand if possible, or as soon as possible after missing the quiz.

The **worksheets** can be downloaded from the class webpage and completed outside of class as you review the accompanying information. 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 at any time. **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, <http://www.emich.edu/policies/policy.php?id=124&term=student%20conduct>. 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, including repeatedly arriving late to class, using a cellular telephone, or talking while others are speaking.

In addition to the articulated course specific policies and expectations, students are responsible for understanding all applicable **University guidelines, policies, and procedures**. The EMU Student Handbook is the primary resource provided to students to ensure that they have access to all University policies, support resources, and students' rights and responsibilities. Changes may be made to the EMU Student Handbook whenever necessary, and shall be effective immediately, and/or as of the date on which a policy is formally adopted, and/or on the date specified in the amendment. **Please note:** Electing not to access the link provided below does not absolve a student of responsibility. For questions about any university policy, procedure, practice, or resource, please contact the Office of the Ombuds: 248 Student Center, [734.487.0074](tel:734.487.0074), [emu\\_ombuds@emich.edu](mailto:emu_ombuds@emich.edu), or visit the website: [www.emich.edu/ombuds](http://www.emich.edu/ombuds).

Complete URL:

<http://www.emich.edu/studenthandbook/policies/academic.php#univ>

## GRADING SCALE

	89 - 87 = B+	79 - 77 = C+	69 - 67 = D+
100 - 93 = A	86 - 83 = B	76 - 73 = C	66 - 63 = D
92 - 90 = A-	82 - 80 = B-	72 - 70 = C-	62 - 60 = D-

Below 60 = F

## CELL PHONE POLICY

Having phones ring in class is distracting. Turn the ringer off for the brief time we're in class. 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.

## ELECTRONIC DEVICES POLICY

Although research shows students who write notes by hand do better, you are free to take notes in/on whatever you like. Please remember that devices connected to social media and the web encourage distraction, and showing up to class then playing on your laptop or tablet does not earn you any points. If you are distracting other students (especially by viewing offensive material in class), I can and will ask you not to bring electronic devices for a period ranging from several classes to the rest of the semester.

## 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 6	Introduction & Greeting
Jan 11	Reiman, CJ Ethics; Nash, Teaching Ethics.  If Reiman's chapter introducing the moral theories is complex, please use the links on the class webpage ( <a href="http://paulsjusticepage.com">paulsjusticepage.com</a> ) to explore the

	companion information on the internet. Each theory has a summary and additional links to explain key concepts.
Jan 13	Part 1, Bazelon
Jan 18	MLK Day – NO CLASS
Jan 20	Part 1, Katz
Jan 25	Part 2, Feinberg p 87 - 88 (skip section 4) & 92 (Mill) - 108. (Class will cover substantial material not in the text)  IN CLASS QUIZ #1: 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 three of the 'social benefits' that are related to freedom? [5 points]
Jan 27	Part 2 drug debate (Trebach and Inciardi)
Feb 1	Part 2, Prostitution ( <i>In re P</i> ; MacKinnon; Committee for Prostitutes' Rights)  IN CLASS QUIZ #2: Use the class webpage (on paulsjusticepage.com) to find the link to the Stanford Encyclopedia of Philosophy entry on <a href="#">Feminist Perspectives on Sex Markets</a> . Read section 2.2 on harms to women. Your quiz will ask you to summarize the arguments of multiple authors who are reviewed. Specifically, 1) for those authors who argue prostitution causes harm to women, what are their arguments? And 2) what is the critique of these positions and what is the argument of those who claim prostitution does not harm women? (You do not need to know the names of those making the arguments, but you need to include the argument of more than one author/theorist on each side of the debate.) [6 points]
Feb 3	Part 2, Hate Crime ( <i>Wisc v Mitchell</i> )
Feb 8	Part 2, Corporate Violence (Reiman; AMA)
Feb 10	Review and catch up
Feb 15	<b>TEST 1</b> Remember that no one is admitted to the test after the person leaves. See make up option on p 2 of this syllabus if you will miss the class.  There will NOT be extra credit later in the semester, so take this test seriously and study for it.
Feb 17	Appendix on Codes of Ethics; Part 3, Kleinig

Feb 22 – 28, Winter Recess NO CLASS	
Feb 29	Part 3, Skolnick & Leo  WORKSHEET #1: From the class webpage, download the worksheet, then watch the video "Why I Don't Talk to the Police." Type the answers to the questions on the worksheet, print it off and turn it in at the beginning of class. [10 points]
Mar 2	Part 3, Marx; <i>US v Tobias</i>
Mar 7	Part 3, Selective Enforcement (Kleinig, Reiman).  IN CLASS QUIZ #3: From the class webpage, find the link to the law review article on <u>Why Driving While Black Matters</u> . 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> . [6 points]
Mar 9	Part 4, Lawyers' Ethics – Haskell
Mar 14	Part 4, Amar & Cochran debate
Mar 16	Part 4, Weinstein, Kipnis
Mar 21	<b>TEST 2</b> Remember that no one is admitted to the test after the person leaves. See make up option on p 2 of this syllabus if you will miss the class.  There will NOT be extra credit later in the semester, so take this test seriously and study for it.
Mar 23	Part 5, Gorman
Mar 28	Part 5, Newman
Mar 30	Start Part 5: National Council of Churches on death penalty; Nathanson, Reiman, van den Haag exchange; American Medical Association
Apr 4	Finish Part 5: National Council of Churches on death penalty; Nathanson, Reiman, van den Haag exchange; American Medical Association  WORKSHEET #2: Please download the worksheet about wrongful convictions that is available on the class webpage. Follow the directions to access the materials. Type your answers on the worksheet, print off and turn in at the beginning of class today. [11 points]
Apr 6	Part 6, Strossen & Allen debate

Apr 11	Part 6, Reiman  IN CLASS QUIZ #4: From the class webpage, find the link to Schneier's post The Eternal Value of Privacy. The quiz will ask you: (1) the author rejects the idea that privacy is only about hiding a wrong and he says it is about what (2) why does he say it never occurred to the framers of the Constitution to mention privacy (3) what does he say will happen if we are observed in all matters and (4) the author rejects the debate about security v privacy and suggests it is about what? [7 points]
Apr 13	Part 6, Segal
<b>PLEASE NOTE:</b> 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.	
Apr 18	Part 6, Leighton  Any worksheets turned in today are worth a maximum of 5 points.
<b>Apr 25</b>	<b>Final Exam - 9:30 – 11:00</b> (not regular class time)  No one will be admitted to take the final after the first person has left.  Worksheets turned in today are worth a maximum of 1 point.

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 non-thesis 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.