Death Penalty
CRIJ 4300- CRN  16953
Fall 2022
T/R 9:00-10:20am

Instructor: Dr. Caitlyn Muniz
Office Hours: 10:30-11:30am T/R in EDU 111-A or by appointment
Email: cnmuniz@utep.edu

Contacting Your Instructor
The most efficient means of communication with me is through email (NOT Blackboard). I will
make every possible effort to respond to messages within 24-48 hours. Please use
professional/business etiquette.

COURSE DESCRIPTION: This course is a flipped classroom, discussion-heavy course that will
explore, in depth, the various issues surrounding murder and capital punishment in the United
States. We will examine each of the major elements of the death penalty debate, including: the
legal and social history of capital punishment, the general deterrent effects of executions, the
brutalization effects of executions, community protection/marginal incapacitation effects of
capital punishment, issues of arbitrariness, capriciousness, and racial discrimination in the legal
processing of death cases, economic costs, irreversibility and miscarriages of justice, jury
qualifications and predicting dangerousness, appeals, public opinion, just deserts vs. cruel and
unusual punishment, life and work on death row, and issues of gender, age, competency, and
other special offender classes. The course is organized around a seminar format and as such
will involve a great deal of student participation and contribution to class discussion. The
course will also involve a large quantity of assigned reading material which the student is
expected to have read prior to each class meeting.

COURSE OBJECTIVES
• The main objective of this course is to apply legal and social scientific methods to
address the question of the legitimacy of capital punishment.
• The course will address the socio-legal history of capital punishment in this country as
well as significant case law and research developments on aspects of the legitimacy of
the death penalty.
• The course will examine the socio-legal history of the death penalty in the country from
the colonial era to the present; it focuses primarily upon case law developments arising
from the ruling of the United States Supreme Court (USSC) on constitutional questions
concerning the legitimacy of capital punishment.
• The course will examine the issues of retribution vs. cruel and unusual punishment, religious foundations for and public opinion on the death penalty, the general deterrent effects of capital punishment, and the incapacitation effects of the death penalty.
• The course will examine the problem of miscarriages in justice in capital cases, the economic cost/savings associated with the death penalty, the claim that capital sentencing is arbitrary and capricious, and the capital punishment if contaminated with racial disparities.
• Through the application of these legal and social scientific methods, the students should be informed enough about this vexing social issue to judge for themselves as to the legitimacy/illegitimacy of the death penalty in this country.

STUDENT LEARNING OUTCOMES:

1. Demonstrate their knowledge of the issues and rulings of the USSC on the major cases that comprise body of significant jurisprudence on constitutional issues surrounding the death penalty.
2. Distinguish between just desert and vengeance as a basis for capital punishment
3. Describe the basis for support for/opposition to the death penalty stemming from major Judeo-Christian faiths.
4. Describe the changing levels of public support vs. preference for the death penalty over time and across major socio-demographic groups within this country.
5. Assess the empirical evidence regarding the marginal general deterrent effects of capital punishment
6. Assess the empirical evidence regarding the community protection/incapacitative effects of capital punishment
7. Demonstrate the extent, in any, to which the empirical evidence supports the claim of racial disparity in capital justice.
8. Explain the extent, if any, to which capital sentencing is arbitrary and capricious.
9. Describe the extent to which miscarriages of justice occur within the death penalty systems in force in this country.
10. Describe the economic costs/savings associated with the death penalty relative to incarcerative alternatives.
11. Ultimately, to demonstrate an ability to apply legal and social scientific methods to the question of the legitimacy of capital punishment

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Grading & Course Requirements

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<th>Grade</th>
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<tr>
<td>A</td>
<td>90%-100%</td>
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<tr>
<td>B</td>
<td>80%-89.9%</td>
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<td>C</td>
<td>70%-79.9%</td>
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<td>D</td>
<td>60%-69.9%</td>
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<td>F</td>
<td>below 60%</td>
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<thead>
<tr>
<th></th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Exam 1</td>
<td>30%</td>
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<tr>
<td>Exam 2</td>
<td>30%</td>
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<tr>
<td>Quizzes</td>
<td>20%</td>
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<tr>
<td>Death Penalty Case Summary</td>
<td>20%</td>
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<tr>
<td>Total</td>
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Exams (60%)
There are two non-cumulative exams. Exams will focus on class readings and anything covered in class including: lectures, videos, guest speakers, class discussions, activities, etc. **All exams will be on Blackboard.** Exams will be open on Blackboard for a set period. Failure to complete the exam due to technological difficulties is not an excuse for not completing the exam.

Quizzes (20%)
Over the course of the semester, you will complete a variety of in-class quizzes or assignments. Please note: these assignments may be given at any time during class (example: first five minutes, last 10 minutes, and/or over the entire class period). If you miss an assignment because you are absent, late, or leave early (and it is not a documented emergency), you will **NOT** receive points and will not be allowed to make up the assignment.

Your lowest 2 quizzes will be dropped. This means you can miss two without penalty. This also means there will be absolutely ZERO makeups for these assignments.

Death Penalty Case Summary and Presentation (20%)
Each student will summarize one death row inmate’s case in the state of Texas. You will sign up for an inmate during the first week of class. You will turn in a hard copy of your summary and present your inmate’s case to the class.
The summary will entail:

- Providing the death row inmate's full name,
- Brief case characteristics (what happened),
- Legal characteristics (history of case to include appeals),
- The current state of the case, and your opinion on the case (is capital punishment warranted? Are there any obvious biases? Do you think the execution will be stayed? Etc).

- This summary must be 2 pages in length (not including references) and be written using formal academic language. You will be graded for spelling and grammar.
- You must cite all sources using APA formatting (in text and in your reference list)
- Do not put your name, class, date, etc. at the top of the page. Your two pages must be content only. Create a cover page with your name.

**Student Expectations**

To ensure learning outcomes are met, students are expected to:

**Participate.** Students are expected to contribute to all class discussions and are responsible for all material presented in each module, including course-related announcements.

**Check Email & Blackboard Regularly for Course Correspondence.** Valuable information regarding the course schedule, assignments, and grades will be posted to Blackboard.

**Be Respectful.** This includes directing full attention to discussions. When participating in discussion and in email exchanges with the instructor and other classmates, students are expected to use respectful language. Do not communicate with others via the Internet in a way you would not interact with them in person. Disrespectful language, and/or disrespectful classroom behavior will not be tolerated. In instances of serious or repeated infractions, students will be subject to University disciplinary action.

**Complete Quizzes and Assignments When Scheduled.** Students are informed in writing (this syllabus) of the due dates of exams and assignments for the entire semester on the first day of class. You will have ample time to complete all work. For this reason:

LATE WORK IS NOT ACCEPTED & MAKE UP EXAMS ARE NOT AN OPTION*

* Exception: Religious Observances, & University Excused Absences. Students are expected to notify their instructors at the beginning of each academic term if they intend to be absent for an announced examination. Students absent for religious reasons, as noted to the instructor at the beginning of each academic term, will be given reasonable opportunities to make up any work missed.
Netiquette
All students are expected to communicate with me in a professional and respectful manner. **Emails that are not written respectfully and professionally will be met with no response.** As adults preparing to enter the professional or academic world, you are expected to conduct yourself as an academic or professional. This skill is necessary for success in all realms of your life.

When communicating electronically, many of the feelings or impressions that are transmitted via body language in face-to-face communications are lost. Consequently, interpreting emotions and innuendos is much more difficult. Only what is written, or drawn, carries the message. Often, excitement can be misinterpreted as anger or insult. It is important to keep this in mind as we communicate online. Words in print may seem harmless, but they could emotionally injure when working at a distance. Hence, it is vitally important that we are conscious of how we communicate while working at a distance. For example, avoid the use of caps in your electronic messages, as wording in caps comes across as shouting. The standard practice ("Netiquette") for participation in networked discussion requires that all participation be focused on the topic at hand, not become personalized, and be substantive in nature. A person may certainly disagree with someone else’s view, but you must do so respectfully; you may express strong beliefs but you must allow for differing opinions.

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*It is important to keep netiquette in mind as we communicate online.*

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**Please observe the following:**
- You are required to check the Blackboard course shell daily for messages, updates and assignments.
- Always consider audience. Remember that members of the class and the instructor will be reading any postings.
- Respect and courtesy must be provided to fellow classmates and the instructor at all times, in all contexts. No harassment or inappropriate postings will be tolerated.
- Be professional and careful in what you say about others.
- When reacting to someone else’s message, address and focus on the ideas, not the person who posted them.
- Be careful when using sarcasm and humor. Without face-to-face communications your joke may be viewed as criticism.
- Blackboard is not a public internet venue; all postings to it should be considered private and confidential. Whatever is posted on in these online spaces is intended for classmates and professor only. Please do not copy documents and paste them to a publicly accessible website, blog, or other space. If students wish to do so, they have the ethical obligation to first request the permission of the writer(s).
- The obstruction or disruption of any group activity, discussion board or any other course activity is prohibited and will subject the student or group of students to disciplinary action.
• An instructor may deny a student access to participate in class activity for up to two individual classes (or course related activity periods) for behavior that is disruptive to the learning or teaching environment. Individuals so denied may be immediately referred to the Office of the Dean of Students for additional disciplinary intervention including withdrawal from the course.

Policy for withdrawing or dropping the course
Students are responsible for seeing they are withdrawn from the course by the drop deadline. Please contact the Registrar’s Office to initiate the drop process. Students that are withdrawn by the drop deadline will automatically receive a grade of “W”. After the student drop deadline, students will receive a grade of “F” except under extraordinary circumstances and only with the approval of the instructor and academic dean.

Scholastic Integrity
UTEP prides itself on its standards of academic excellence. In all matters of intellectual pursuit, UTEP faculty and students must strive to achieve based on the quality of the work produced by the individual. Students are expected to uphold the highest standards of academic integrity. Any form of scholastic dishonesty is an affront to the pursuit of knowledge and jeopardizes the quality of the degree awarded to all graduates of UTEP. Any student who commits an act of scholastic dishonesty is subject to discipline. Academic dishonesty is prohibited and is considered a violation of the UTEP Handbook of Operating Procedures (HOOP). It includes, but is not limited to, cheating, plagiarism, and collusion. Cheating may involve copying from or providing information to another student, possessing unauthorized materials during a test, or falsifying research data on reports. Plagiarism occurs when someone intentionally or knowingly represents the words or ideas of another as ones' own. Collusion involves collaborating with another person to commit any academically dishonest act. Any act of academic dishonesty attempted by a UTEP student is unacceptable and will not be tolerated. All suspected violations of academic integrity at The University of Texas at El Paso must be reported to the Office of Student Conduct and Conflict Resolution (OSCCR) for possible disciplinary action. To learn more HOOP: Student Conduct and Discipline.

Copyright Infringement and Plagiarism
Copying a textbook, or any other copyrighted material is a violation of U. S. copyright law. Violation of U. S. copyright law can result in civil damages up to $100,000 for each work copied. Copying of textbooks or any other copyrighted material is not “fair use” under the Copyright Act. The “fair use doctrine” only permits non-commercial copying of part (in general, not more than 10%) of a copyrighted work. Do not take credit for work that is not your own by copying and pasting from the internet, failing to cite sources of information, failing to attribute direct quotes to their original author, or submitting your work from another course without prior permission.

Accommodations Policy
Students requesting an accommodation based on a disability must register with the UTEP Center for Accommodations and Support Services. If you have or believe you have a disability
that may impact your ability to succeed in a class, whether it be online or face-to-face, you may wish to contact the Center for Accommodations and Support Services (CASS) to show documentation of a disability or to register for testing and services. Students who have been designated as disabled must reactivate their standing with the CASS yearly. If you feel that you may have a disability requiring accommodations and/or modifications, contact CASS at (915) 747-5148. You also can visit the CASS website at http://sa.utep.edu/cass/ or the CASS office in Room 108 East Union Building.

**Student Resources**

UTEP provides a variety of student services and support:

- **UTEP Library**: Access a wide range of resources including online, full-text access to thousands of journals and eBooks plus reference service and librarian assistance for enrolled students.
- **Help Desk**: Students experiencing technological challenges (email, Blackboard, software, etc.) can submit a ticket to the UTEP Helpdesk for assistance. Contact the Helpdesk via phone, email, chat, website, or in person if on campus.
- **University Writing Center (UWC)**: Submit papers here for assistance with writing style and formatting, ask a tutor for help and explore other writing resources.
- **Military Student Success Center**: UTEP welcomes military-affiliated students to its degree programs, and the Military Student Success Center and its dedicated staff (many of whom are veterans and students themselves) are here to help personnel in any branch of service to reach their educational goals.

**Mandatory Reporting**

As mandatory reporters, faculty can no longer have confidential conversations with students or other reporting persons about their experiences with sexual misconduct, sexual harassment, or sexual assault. If a topic in class leads to a discussion of experiences of sexual harassment, sexual misconduct, or sexual assault I must share the information with the University so that the student can receive care, support and resources and learn about the options for having the situation addressed and resolved within the University. Even though I am obligated to share the information with University officials specially trained to respond, students’ privacy will be respected; identities and details will be shared only with those who need to know to support the reporting person and to address the situation through the University’s processes.

**Right to Change Syllabus**

Although I put considerable effort into the syllabus to balance your workload and ensure the course flows, adjustments to the content, timeline, and assignments may be required during the semester. If this is necessary, some components of the syllabus may change. Any such changes will be posted on Blackboard, and students are responsible for these announced changes. If things change, you will have plenty of notice and I will be reasonable with accommodations.
<table>
<thead>
<tr>
<th>Dates</th>
<th>Topic/Reading</th>
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<tbody>
<tr>
<td>August 23</td>
<td>Welcome and Syllabus</td>
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<tr>
<td>August 25</td>
<td>Pre-Test</td>
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<tr>
<td>August 30</td>
<td>Criminal Homicide &amp; Elements of the Death Penalty Debate</td>
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<tr>
<td>September 1</td>
<td>Chapter 1 History of the Death Penalty in the United States: The Pre-Modern Period</td>
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<td>September 6</td>
<td>Chapter 2 Capital Punishment and the Supreme Court: The Pre-Modern Period</td>
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<td>September 8</td>
<td>Chapter 3 The Challenge to Capital Punishment’s Legality</td>
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<tr>
<td>September 13</td>
<td>Chapter 4 Capital Punishment and the Supreme Court: The Modern Period</td>
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<td>September 15</td>
<td>Chapter 4 Capital Punishment and the Supreme Court: The Modern Period</td>
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<td>September 20</td>
<td>Chapter 5 The Death Penalty at the Federal Level, in the Military, and Globally</td>
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<td>September 22</td>
<td>Chapter 6 Methods of Execution</td>
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<td>September 29</td>
<td>Review</td>
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<td>October 4</td>
<td>Chapter 11 Retribution, Religion, and Capital Punishment</td>
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<td>October 6</td>
<td>Chapter 12 American Death Penalty Opinion</td>
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<td>October 11</td>
<td>Chapter 7 General Deterrence and the Death Penalty</td>
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<td>October 13</td>
<td>Exam 1</td>
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<td>October 18</td>
<td>Chapter 8 Future Dangerousness, Incapacitation, and Economic Costs of Capital Punishment</td>
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<td>Date</td>
<td>Event</td>
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<td>November 8</td>
<td>Chapter 9 Miscarriages of Justice and the Death Penalty</td>
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<td>November 10</td>
<td>Dr. Duke Guest Lecture</td>
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<td>November 15</td>
<td>Chapter 10 Arbitrariness and Discrimination in the Administration of the Death Penalty</td>
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<tr>
<td>November 17</td>
<td>Film at home—<strong>NO CLASS</strong></td>
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<td>November 22</td>
<td>Film discussion in class</td>
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<tr>
<td>November 24</td>
<td>No Class--Thanksgiving</td>
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<tr>
<td>November 29</td>
<td><strong>Review &amp; Post-Test</strong></td>
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<tr>
<td>December 1</td>
<td><strong>EXAM 2 - Final Day of Class</strong></td>
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