



Psychology and The Law

PSYC 3315 CRN 17498

The University of Texas at El Paso

Spring 2016

Instructor

Erik Nabors, J.D., Ph.D.

E-mail: TBD

Office Hours: After class, or by appointment

Course Time

Tuesday 6:00pm – 8:50pm;

Required Texts

Greene, E. & Heilbrun, K (2014). *Wrightsmen's Psychology and the Legal System (8th Ed.)* Belmont, CA: Wadsworth

And one of the following:

• Earley, P. (2006). *Crazy: A Father's Search Through America's Mental Health Madness*. New York, NY: The Berkeley Publishing Group.

*** **“Crazy” is available through the UTEP Bookstore *****

• Conover, T. (2001). *Newjack: Guarding Sing Sing*. New York, NY: Vintage Books

• Wicker, T. (2011). *A Time to Die: The Attica Prison Revolt*. Chicago, IL: Haymarket Books

• Grisham, J. (2006). *The Innocent Man: Murder and Injustice In a Small Town*. New York: Random House

• Bogira, S. (2005). *Courtroom 302: A Year Behind The Scenes In An American Criminal Courthouse*. New York, NY: Vintage Books

• Humes, E. (2015). *No Matter How Loud I Shout: A Year In The Life of Juvenile Court*. New York, NY: Simon and Schuster

• Cullen, D. (2010). *Columbine*. New York, NY: Hachette Book Group.

(more about these books below)

Course Description

This course will provide a review of the relationship of psychology to the legal system. Topics include causes of criminal behavior, accuracy of eyewitness reports, examination of criminal responsibility and competency to stand trial, lie detection, false confessions, jurors and juries, and correctional practices for adults and juveniles.

Learning Outcomes

At the end of this course, you should be able to:

- 1) Describe the different ways that psychologists interact with the legal system.
- 2) Describe the basic systems and procedures of the U.S. legal system.
- 3) Describe the major findings of experimental psychology that inform the legal system (e.g. eyewitness memory, jury decision-making)
- 4) Describe the ways that clinical psychologists' evaluations can inform legal proceedings (e.g. criminal responsibility, competency to stand trial).

Communication

Email is the best way to communicate with me. I will do my best to respond to your messages within 24 hours, but it may occasionally take me longer to respond. Please put "PSYC 3315" in the subject line so I know the email is from a student.

Blackboard

Everything you need for this class can be found on Blackboard. I will make announcements regarding the course via Blackboard periodically, so please check Blackboard daily. Blackboard is where I will post the "Michael Riley" assignments (see below) and any other materials relevant to the course.

Disability Accommodations

If you have a disability and require accommodation, please contact the Center for Accommodations and Support Services at 915-747-5148 or via email (case@utep.edu) during the first week of the semester. They will help you with the required paperwork necessary to obtain accommodation.

Academic Dishonesty

Academic dishonesty in any form will not be tolerated. Academic dishonesty includes: cheating on exams or assignments, forgery and plagiarism. If you are caught engaging in academic dishonesty, you will receive an "F" for the relevant assignment, and you may receive a final grade of "F" for the course. Please review UTEP's policy statement on academic dishonesty:

<http://academics.utep.edu/Default.aspx?tabid=23785>

Course Policies

Attendance

I strongly advise you attend class.

Strictly from the perspective of wanting to do well in the course, there ARE topics that will be presented in class but which are not in the book. In addition, by attending class you will have a good idea of what I think is important for you to know. And let's be honest, what I think is important for you to know will likely show up on the tests.

In addition, college is about more than reading the book. If it wasn't, we'd just give you a list of books to read and once you were done you'd get a diploma. Rather, college is about learning to share ideas, learning to learn from others, learning to ask questions, learning to say when the answer you get still doesn't help, learning to pay attention over a protracted period of time even if it doesn't involve Facebook, and numerous other "meta-skills" that only happen when you're interacting with people. No matter what you want to do after college, developing these skills now will greatly benefit you later.

Attendance at Exams

It is your responsibility to ensure you are able to take the exams when they are scheduled. The reasons I will make exceptions to the exam schedule are a) observance of religious holidays, b) participation in UTEP-sponsored activities (e.g. sports competitions), and c) military duty. If you expect to miss an exam for any of these reasons, you must alert me by the end of the first week of the semester and submit relevant documentation. Students in one of these situations will be required to take the exam *before* the rest of the class. In *extremely rare* situations, students who miss an exam due to a dire emergency (e.g. death of a family member, serious illness) may be allowed to complete an alternate assignment to make up credit for a mixed exam. If this applies to you, you must notify me via e-mail and provide written documentation of the emergency. Whether the alternate assignment is offered is completely at my discretion.

Classroom courtesy

Nobody can learn if they are distracted by inconsiderate behavior from those around them. As such, it is very important that everyone exhibit appropriate, courteous behavior while in class. This includes, but certainly is not limited to,

- 1) Showing for class on time, and staying until it is over. Showing up late or packing up early is distracting to those around you.
- 2) Refraining from side conversations. Although questions and comments are absolutely encouraged, these should be shared with the whole class in an orderly manner. Turning to the person next to you and having a conversation is terribly distracting not only to those around you but to me as well.
- 3) Leaving your phone alone. Mankind has existed for millennia without smartphones. Even without Twitter we were able to build the Pyramids, develop written language, and land on the Moon. Keep the tradition alive. Ignore your phone.

(I do recognize you may have family emergencies that require you to be accessible during class time. If you have such a situation, I'm fine with you having your phone available but please step outside of class to answer any calls or respond to texts.)

Determination of Grade

Your grade will be based on the following:

- **Mid-Term Exam (30%)**

March 1, 2016, during regular class time. Non-cumulative exam on material covered in the first six classes. Multiple choice, fill in the blank, and short answer.

- **Michael Riley assignment (15%)**

In order to help you better understand some of the topics we'll discuss in class, and how they may come up in a case, we will follow a fictional criminal case I've created, *Commonwealth of Pennsylvania v. Michael Riley*, throughout the semester.

The case will be presented through a series of documents released via Blackboard each week. Each document will feature a question or issue that relates to a topic from the next week's reading. In addition, each document will have a written assignment (2-3 pages) related to the question or issue raised in the document which will be due before the following class. Each student will only turn in one of these assignments, and as such there will only be a sub-group of students turning in a written assignment each week. In addition, a portion of each week's class will be devoted to discussing the document and the issue at hand. The entire class will take part in each discussion, although the discussion should be led by those who completed the written assignment for that week. You will, however, only be graded for your written assignment.

For example, shortly before the February 2, 2016 class I will post the document "Pre-Trial Services Case History and Psychosocial Report" on Blackboard. This document will have a written assignment related to The Psychology of Crime, which will be covered in the February 9, 2016 class. The written assignment, however, will be due at the beginning of the February 9, 2016 class.

Each student will select which assignment they want to complete. Each of the documents, the topic the document/assignment is related to, and the date the assignment will be due is given in the Course Schedule below. *By the end of this coming Friday – January 22, 2016 – each student needs to send me an e-mail letting me know which assignment they want to complete.*

- **Written response to selected book (15%)**

Each student will need to read one of the selected books listed above and described below, and turn in a written response (2-3 pages) to the book. For all of the books, the written assignment will be to select a problem presented in the book, and briefly discuss how the field of psychology could help to solve the problem through research, policy evaluation or improved clinical practice to include training of others, or public education. This written assignment will be due by the beginning of class on **April 26, 2016**.

A brief description of each book is given below

"Crazy" – Author Pete Earley is a well-known journalist who specializes in looking at some of the darker aspects of society. When his son develops schizophrenia, Earley sees first-hand the logical inconsistencies and associated no-win situations the seriously mentally ill and their families can find

themselves in vis-à-vis the criminal justice system. “Crazy” uses Earley’s own family story as a basis for a larger look at how the seriously mentally ill are handled in the criminal justice system.

Newjack – When author/journalist Ted Conover asked the New York State Department of Corrections if he could follow new recruits through their training academy he fully expected them to say yes. As such, when they said no Conover was both a little annoyed and curious as to why. Wanting answers to his questions, Conover applied to work as a corrections officer with the NYDOC, was eventually hired, completed the training academy and worked as an officer for 10 months at New York’s maximum-security Sing Sing prison. *Newjack* (the term for a rookie officer) is the story of Conover’s time with the NYDOC. Books about the American prison system are typically rather politically slanted one way or the other. *Newjack* is one of the rare, genuinely balanced books on the subject.

A Time To Die – In September, 1971 inmates at New York’s Attica Prison rioted, taking control of a quarter of the prison and several hostages in the process. When initial negotiations with state officials failed, a team of people from outside law enforcement – including Author Tom Wicker – became the de facto negotiators trying to free the hostages while also addressing the inmate’s complaints. The Attica Riots highlighted many of the problems in the American prison system, and have come to be viewed as one of the last events in the American Civil Rights Movement. “A Time To Die” recounts the story of the prison riots and the efforts to bring them to an end.

The Innocent Man – The real life story of a murder trial that highlights many of the flaws in the American criminal justice system and topics covered in this course.

Courtroom 302 – An inside look at the cases that pass through a single courtroom in Cook County, Illinois (Chicago) in a year. By focusing on just one courtroom, this book examines a vast array of problems faced by the American criminal justice system many of which are covered in the course of this class. For students interested in going to law school and eventually working in criminal law, *Courtroom 302* is an excellent look at the realities of such work.

No Matter How Loud I Shout – A behind the scenes examination of Los Angeles’ juvenile criminal justice system.

Columbine – We all know the story of the April 20, 1999 shootings at Columbine High School. Two students, endlessly harassed by their classmates eventually sought revenge by targeting those who had targeted them. In addition, this view of the shootings led to wide-spread changes in American schools to include how to address bullying and instituting “zero-tolerance” policies for students who make ‘threats’ or carry ‘weapons’ into school. Turns out, however, that most of what we thought we knew about Columbine was wrong and the truth was, arguably, more disturbing. *Columbine* is an amazing book that touches on the juvenile justice system, psychopathy, and how we as a society react to incidents of criminality that we have difficulty understanding.

• **Final Exam (40%)**

A non-cumulative Final Exam on material presented since the Mid-Term. Will be held during Finals Week. Multiple choice, fill in the blank, and short answer.

Grade Breakdown

90 – 100 % = A

80 – 89 % = B

70 – 79 % = C

60 – 69% = D

0 – 59% = F

You will receive a score of 0 – 100 on each of the four components of your grade (Mid-Term, Michael Riley written assignment, Written Response to Selected Book assignment, and Final Exam). Your final grade for the class will be calculated with the following formula:

$$[W(.30) + X(.15) + Y(.15) + Z(.40)] = \text{Final Grade}$$

Where W = score on Mid-Term

X = score on Michael Riley assignment

Y = score on Written Response To Selected Book assignment

Z = score on Final Exam

Course Schedule

Adjustments to the course schedule are unlikely, but may occur. Adjustments will be announced in class and via Blackboard.

Readings must be completed before class. Materials for “Michael Riley” handouts will be available via Blackboard at least one week before the associated assignment is due. The “Michael Riley” assignments are due at the beginning of the class in which they will be discussed.

January 19, 2016

Topic: Psychology and The Law; The Legal System (Chapters 1 and 2)

January 26, 2016

Topic: Psychology of Police (Chapter 4)

February 2, 2016

Topic: Psychology of Crime (Chapter 3)

Michael Riley: Pre-Trial Services Case History and Psychosocial Report. (What causes crime?)

February 9, 2016

Topic: Eyewitnesses to Crimes and Accidents (Chapter 5)

Michael Riley: Report of Witness Identification (Accuracy of eyewitness identifications)

February 16, 2016

Topic: Psychology of Victims of Crime and Violence (Chapter 6)

Michael Riley: Summary of Initial Investigation (Effects of victimization; whether or not to bring criminal charges)

February 23, 2016

Topic: Evaluating Criminal Suspects (Chapter 7)

Michael Riley: Transcript of Questioning (Whether to admit confessions into evidence)

March 1, 2016

MID-TERM!! (30% of Final Grade)

March 15, 2016

Topic: Traditional Prosecution: Arrest, Bail, Plea Negotiation/Settlement, and Trial (Chapter 8)

Michael Riley: Transcript of Bail Application Hearing (Whether to grant bail)

March 22, 2016

Topic: Alternatives to Traditional Prosecutions (Chapter 9)

Michael Riley: Psychological Evaluation for Possible Transfer to Mental Health Court (Whether to transfer a case to a Mental Health Court)

March 29, 2016

Topic: Forensic Assessment in Juvenile and Criminal Cases (Chapter 10)

Michael Riley: Psychological Evaluation of Competency to Stand Trial (Is someone competent to stand trial?)

April 5, 2016

Topic: Forensic Assessment in Civil Cases (Chapter 11)

Michael Riley: Complaint of Intentional Infliction of Emotional Distress (Has someone established a civil cause of action?)

April 12, 2016

Topic: Preparing For Trials (Chapter 12)

Michael Riley: Motion for Change of Venue; Motion to Deny Change of Venue (Does pretrial publicity warrant a change of venue?)

April 19, 2016

Topic: Jurors and Juries (Chapter 13)

Michael Riley: Motion to Admit Expert Testimony; Motion to Exclude Expert Testimony (Should expert testimony be admitted into evidence?)

April 26, 2016

WRITTEN RESPONSE TO SELECTED BOOK DUE AT THE BEGINNING OF CLASS!

Topic: Punishment and Sentencing (Chapter 14)

Michael Riley: Pre-Sentence Investigation Report (Appropriate sentence for a felony)

May 2, 2016

Topic: Juvenile and Adult Corrections (Chapter 15)

Michael Riley: Intake Screening; Clinical Contact. (Assessing treatment needs for a newly incarcerated person).