

Psychology and the Law

PSY 3710:002

Fall 2020

Meeting Times

Location: Health and Human Services Building 2302

Day/Time: Tuesdays and Thursdays, 2:30PM – 3:50PM (see Hybrid Course Information below for details)

Instructor Information

Quincy C. Miller, M.A. (Quincy.Miller@rockets.utoledo.edu)

Office: University Hall 1900A (office hours will be held via Zoom)

Office Hours: T 10AM-1PM, W 1PM-4PM; or by appointment

Christina O. Perez, M.A. (Christina.Perez@rockets.utoledo.edu)

Office: University Hall 1880A (office hours will be held via Zoom)

Office Hours: M 9AM-11AM, TH 9AM-11AM; or by appointment

Teaching Assistants

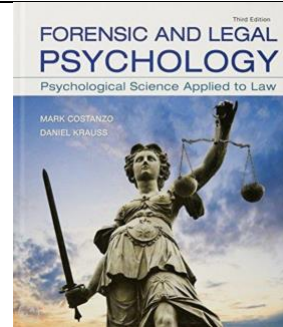
Natalie Heindl (Natalie.Heindl@rockets.utoledo.edu)

Ann Louise Sari (AnnLouise.Sari@rockets.utoledo.edu)

Required Textbook

Costanzo, M. & Krauss, D. (2018). Forensic and Legal Psychology: Psychological Science Applied to Law (3rd. Ed.). Worth Publishers. ISBN: 978-1-319-06031-2

Note: past editions of the book are fine



Hybrid Course Information

Due to social distancing restrictions, we will be implementing a flipped classroom model for this course. All lectures will be recorded and uploaded to Blackboard for students to watch from home. Students will be expected to read chapters, watch the lectures, and respond to attendance questions via Blackboard prior to attending class.

Furthermore, to allow for maximum social distancing within the room the course is held in, students will be randomly assigned to one of two attendance groups. **Students in Group A will attend class on Tuesdays, and students in Group B will attend class on Thursdays. You will receive an e-mail informing you which group you have been assigned to prior to the beginning of the semester.** Both groups will receive similar information in class, but this method will allow us all to maintain a safer distance while in class.

COVID-19 Implications

The health and safety of students, faculty, and staff of the department is our first priority. Masks save lives and it is the policy of the Department of Psychology that masks must be worn at all times in every face to face class taught by department faculty members as well as in meetings with faculty or when present in the main office or other department-controlled spaces. This is a zero-tolerance policy. All students must wear face coverings while on campus, except while eating, alone in an enclosed space, or outdoors practicing social distancing. **NO students will be permitted in class without a face covering. If a student does not wear a mask, they will be asked to put one on or leave the class.** If they refuse these requests, class will be immediately dismissed, and the student will be referred for disciplinary action under the student code of conduct. If you have a medical reason that prevents you from wearing a face covering due to a health condition deemed high-risk for COVID-19 by the Centers for Disease Control and Prevention (CDC), you should submit a request for an accommodation through the Student Disability Services Office (SDS) by completing the [online application](#). Students will need to provide documentation that verifies their health condition or disability and supports the need for accommodations. If a student is already affiliated with SDS and would like to request additional accommodations due to the impact of COVID-19, they should contact their accessibility specialist to discuss their specific needs.

If a student forgets their mask when they arrive to campus, this student should visit the Student Affairs Office (Wolfe Hall room 1227; 419.530.1970) to obtain a mask before coming to class. The Student Government also has a limited quantity of extra masks. If the student is unable to obtain a mask on campus, the student should leave campus to get a mask before returning.

Students who are symptomatic/sick should **not** come to class and should contact the Main Campus Health Center at 419-530-3451. **Absences due to COVID-19 quarantine or isolation requirements are considered excused absences.** Students should notify their instructors, and these absences may not require written documentation. If a student tests positive for COVID-19, this student should contact the Office of Student Advocacy and Support (<https://www.utoledo.edu/studentaffairs/student-advocacy/>).

Students should practice social distancing inside and outside the classroom; please follow signage and pay attention to the seating arrangements. Do not remove stickers or tape from seats and/or tables, this is there to provide guidance on the appropriate classroom capacity based on the recommended 6 feet of social distancing between individuals. Please be conscious of your personal space and respectful of others. Also be cognizant of how you enter and exit the room; always try to maintain at least 6 feet of distance between yourself and others.

Students will need to sanitize their desks and/or workspace before class with the University provided sanitizing spray and paper towels.

It's important to note that based on the unpredictability of the COVID-19 virus, things can change at any time. Please be patient and understanding as we move through the semester. We also ask that you keep us informed of concerns you may have about class, completing course work/assignments on time, and/or health concerns related to COVID.

Course Description

The intersection between psychological principles and our legal system will be explored. Topics include but are not limited to:

- a. Criminal profiling
- b. Eyewitness identification and accuracy
- c. Competency to stand trial
- d. The insanity defense
- e. Repressed memory

It is important that you remember this is a 3000 level course. You are expected to keep up with the readings and come to class fully prepared to discuss the relevant issues. The text will provide you with a broad theoretical background of the field while the articles will give you some real life examples of how psychology affects the real world. Classes will consist of lectures, videos, and discussions designed to expand on the material covered in the readings.

Communication with the Instructors

The best way to reach us is through email. **Please cc both instructors on all e-mails throughout the duration of the semester.** Before you e-mail us, double check the syllabus. We will respond to emails within 1 business day.

In-Class Policies

The following in-class policies will be implemented to ensure there is a beneficial learning environment for all students. All students should aim to be respectful to the instructors, the TAs, and other students in this course.

1. **Technology use in class.** Cell phones, laptops, and other electronics should only be used for class-related purposes. Cell phones should be on vibrate or silent during class time. If you receive an emergency call, please leave the room quietly to take the phone call. Inappropriate electronics activity includes (but is not limited to): texting, Facebook, shopping, emailing, listening to music, watching videos, etc. Students who engage in excessive inappropriate electronic activities will be asked to leave class immediately.
2. **Talking during lectures.** Side conversations between students will not be tolerated. These conversations are highly distracting for both the instructor and other students. Students talking in class be asked to refrain from talking until class is over. If this behavior continues, those students will be asked leave class.
3. **Miscellaneous.** The following are various policies will also be enforced throughout this course.
 - Don't wear headphones during class.
 - Don't engage in distracting grooming (e.g., nail/toenail clipping, hair brushing, etc.)
 - Be respectful of other students in the class.
 - Do not take pictures of the instructors or the slides unless you have explicit permission.
 - Do not record (audio or video) class unless you have explicit permission.
 - If you need to leave class, please do so quietly and discretely.

Course Requirements

Your knowledge of the material covered in the lectures **and** in the book will be assessed with four exams. In addition, there will be four writing assignments and attendance points for each class meeting. ***The class will consist of three components: class attendance, writing assignments, and exams.***

1. **Lectures and Class Attendance:** Two lectures will be uploaded to blackboard per week; one for Tuesday class meetings and one for Thursday class meetings. Lectures for Tuesday class meetings will be uploaded Mondays at 8 am. Students will have until Tuesday class meetings (2:30 pm) to respond to the attendance question on blackboard in order to receive attendance points (2 points per class). Lectures for class meetings on Thursdays will be uploaded Wednesdays at 8 am. Students will have until Thursday class meetings (2:30 pm) to respond to the attendance question on blackboard to receive attendance points (2 points per class).

There are 25 total class meetings (not including exams and Nov. 3). All students will receive attendance points for week 1.

2. **Writing Assignments:** There will be four writing assignments that will correspond with the material covered in the course. Descriptions and due dates for each assignment are provided later in the syllabus.

Late papers will have 10% of their grade deducted for each day they are late. Since you have been told about these assignments in advance, there will be no exceptions to this rule. If you will be attending a University-sponsored event (e.g., a sports event) on the due date of an assignment, you will be expected to turn the assignment in early.

We expect that you will consult outside sources when you write your papers. It is VERY important that you cite things that are not your own thoughts. This includes, but is not limited to, quotations. Make it clear which source you have gotten the information from and if you do quote something give the page number. If you get information from your textbook please cite the text as your source. **Thus, you must include outside sources and a reference page to receive full credit. Please write all papers in APA format.** Consult [Purdue Owl](#) or [APA manual](#) for help with APA formatting.

When uploading each paper, please adhere to the following format: Upload as a **Microsoft Word** document titled “lastname_firstname_assignment#”. For example, if Professor Miller was turning in the first writing assignment, she would label as “Miller_Quincy_Assignment1”. **All assignments that are not submitted using the specified format will have 5 points deducted from their grade.**

The following grading criteria will be used for the writing assignments (worth 100 points each)

- Overall comprehension of the topic and clarity of personal ideas, opinions, and thoughts (50 points)
- Incorporating outside resources and scientific literature discussed in class (30 points)
- Spelling, grammar, and APA format (20 points)

Things to keep in mind when writing your assignments:

- Do not use contractions (e.g., don't, can't, I'll), spell these words out (e.g., do not, cannot, I will...).
- Err on the side of giving too much information than not making it clear what your thought is by writing too little (i.e., it is better to go over the page limit slightly than to be right on but not make sense).
- Do not simply give us a book report – We have read the materials already. We want to read about your thoughts and reactions to these issues.
- Do not use too many quotes – paraphrase!
- Plagiarism will not be tolerated. If we catch you plagiarizing, you will receive a 0 for the assignment and will not be allowed to make up that assignment.

3. **Exams:** There will be four non-cumulative multiple-choice exams, worth 50 points each.

- **No make-up exams will be offered** unless your absence is excused by a University-sponsored activity or under unusual circumstances, such as personal hardship. Students are required to show proper documentation and should contact the instructor **in advance** of the excused absence.
- Exams will cover the material from the lecture, videos, textbook, outside readings, and in-class discussions. Keep in mind that some questions will require you to apply learned information to real world situations.
- Exams will be conducted via Blackboard. Exams will be open from 9AM-5PM on the day of the exam and will have 90 minutes to complete the exam. Once the exam is open, you must complete the exam within 90 minutes or else your exam will be considered late.

Summary of Course Requirements and Grading

	Possible Points	Percentage of Final Grade
Class Attendance on Blackboard (25)	50	8%
Exams (4)	200	30%
Writing Assignments (4)	400	62%
TOTAL	650	100%

Letter Grades

A	93+% > 604 points	C	73-76%	474-499
A-	90-92% 585-603	C-	70-72%	455-473
B+	87-89% 435-584	D+	67-69%	435-354
B	83-86% 539-434	D	63-66%	409-434
B-	80-82% 520-538	D-	60-62%	390-408
C+	77-79% 500-519	F	< 60%	< 389

Important Grading Policy

If you are on the borderline between two grades, do not ask us to bump your grade. After the entire course is done, the instructors will decide whether we will bump up students' grades to the next letter grade. This will only be done for students if the student has done everything possible to get the higher grade.

Statement of Academic Honesty

It is important that all students do independent original work. Cheating on exams or other acts of dishonesty will be grounds for failure on a particular exam, an F grade for the course, and/or expulsion from the University.

Instructor Policy

If the grade you receive on an exam or a paper is not what you expected based on the amount of effort you put into studying, please EMAIL US! We are here to help and are more than happy to go over your study habits with you and possibly give you some ideas for how to study more efficiently. However, we cannot give you help if you do not tell us that you need it.

Tentative Class Schedule

Professor Miller: August 18 - October 8

Professor Perez: October 13 - November 24

***These descriptions and timelines are subject to change at the discretion of the instructor. Changes will be announced via Blackboard. You are responsible for all class announcements.**

WEEK	DATE	TOPIC	MATERIAL
1	Aug. 18	Introduction	
	Aug 20	Introduction	
2	Aug. 25	Psychology and the Law: A Cautious Alliance	Chapter 1
	Aug. 27	Jury Selection and Trial Procedure	Chapter 9
3	Sept. 1	Juries and Judges as Decision Makers	Chapter 12
	Sept. 3	Extralegal Factors in Jury Decision Making	
4	Sept. 8	Child Sexual Abuse & Memory	Chapter 6; Miller & London, 2020
	Sept. 10	Dr. Mark Howe Lecture	
5	Sept. 15	Exam 1 (Chapters 1, 9, 12, 6)	
	Sept. 17	The Psychology of Forensic Identification	Chapter 4; Kassir, Dror, & Kukucka, 2013
6	Sept. 22	Netflix Docuseries "The Innocence Files" Episode 1	
	Sept. 24	Criminal Profiling and Psychological Autopsies	Chapter 5
7	Sept. 29	Corrections: Sentencing, Imprisonment, And Alternatives	Chapter 16
	Oct 1	Greg Kelley Case: "Outcry" Docuseries on Showtime	
8	Oct. 6	Exam 2 (Chapters 4, 5, 16)	
	Oct. 8	Expert Testimony	Marion, Kaplan, & Cutler (2019)
9	Oct. 13	Interrogations and Confessions	Chapter 2
	Oct. 15	"What Leads To Juvenile False Confessions?" TED Talk; The Interrogation Room - The Reid Technique	
10	Oct. 20	Lie Detection	Chapter 3
	Oct. 22	Eyewitness Identification and Testimony	Chapter 7
11	Oct. 27	"Truth and Consequence" documentary on Youtube "Eyewitness Testimony" CBS documentary (Part 1 & 2)	
	Oct. 29	Child Custody Disputes	Chapter 13
	Nov. 3	No class - GO VOTE!	
12	Nov. 5	Exam 3 (Chapters 2, 3, 7, 13)	
	Nov. 10	Competency to Stand Trial	Chapter 8
13	Nov. 12	The Insanity Defense	Chapter 10
	Nov. 17	Predicting Violent Behavior	Chapter 15
14	Nov. 19	The Death Penalty	Chapter 17
	Nov. 24	"Just Mercy" film on Amazon Prime	
	Nov. 26	THANKSGIVING BREAK	
FINALS	Dec. 3	Exam 4 (Chapters 8, 10, 15, 17)	

Writing Assignment Topics

Below are four high-profile legislative issues. You will analyze each of the issues in a 4-5 page typed paper following APA guidelines (see Class Assignments above for a breakdown of how papers will be graded).

In your paper, identify the scientific literature discussed in class that is relevant to the current issue. For each relevant legal topic, describe the argument that could be made for each side. Is there any scientific evidence to support one side or the other? To answer this, you will have to do some outside research. ***Thus, outside references and a citation page are necessary to receive full credit. To receive full points, you must address all questions listed in each prompt.***

When uploading each paper, please adhere to the following format: Upload as a **Microsoft Word** document titled “lastname_firstname_assignment#”. For example, if Professor Miller was turning in the first writing assignment, she would label as “Miller_Quincy_Assignment1”. **All assignments that are not submitted using the specified format will have 5 points deducted from their grade.**

1. In September 2018, Dr. Christine Blasey Ford came forward with allegations of sexual misconduct against then Supreme Court Justice nominee Brett Kavanaugh. Dr. Blasey Ford alleged Mr. Kavanaugh sexually assaulted her 36 years prior to the allegation. Is Dr. Blasey Ford’s memory for the alleged abusive event 36 years earlier *reliable*? What factors may have impacted the *reliability* of Dr. Blasey Ford’s memory for the event during the time that has passed between the alleged event and the allegation (*hint*: Miller & London, 2020)? Please argue both sides of memory reliability using the scientific literature discussed in class. From Jeffrey Epstein to Harvey Weinstein, how may the wake of the #MeToo movement have impacted perceptions of cases of delayed reporting in which months, years, or decades have passed between the abusive event and the complainant’s disclosure? **(Due: Sept. 11)**
2. Students should watch episode 3 of “The Innocence Files” docuseries on Netflix (if you do not have a Netflix account, borrow from a friend. Please *DO NOT ask the instructors for a Netflix password*). What role does forensic science play in court adjudication and ultimate juror decision making? Are jurors persuaded by forensic science? Should they be? How could the *reliability* of forensic science be bolstered (i.e., improved)? Should it be? Explain and defend your view. **(Due: Sept. 25)**
3. In 1983, allegations of child sexual abuse were brought against teachers of the McMartin Preschool in Manhattan Beach, California by one child’s mother after she noticed her son behaving strangely. Hundreds of children ultimately provided vivid reports of abuse during their time at the McMartin Preschool, including bizarre allegations such as seeing one of the accused teachers fly, being taken to one of the many tunnels under the school, and being a victim of satanic ritualistic abuse. For more information on this trial, watch [McMartin Preschool: Anatomy of a Panic](#). Although the defendants were ultimately found innocent, this case sparked decades of research focused on understanding children as eyewitnesses (e.g., ["Truth and Consequence" documentary on Youtube](#)).

Using your understanding of children’s disclosures of sexual abuse, eyewitness memory, and interviewing techniques with children, answer the following questions about this case. What elements of the case were most concerning to you and why (e.g., how the first allegation came about)? What were some issues regarding how the children were questioned? If the alleged victims’ claims had been equally as detailed but not as fantastical (i.e., no claims about flying or hidden tunnels), how would jurors have perceived the children’s allegations? How can legal professionals improve their questioning of vulnerable witnesses, particularly young witnesses? **(Due: Oct. 16)**

4. On July 28, 2010, Congress passed the Fair Sentencing Act (S.1789) to restore fairness to Federal cocaine sentencing. The legislation is aimed at reducing sentencing disparity for those convicted of possession of

crack cocaine versus powder cocaine and eliminating mandatory minimum sentencing. Under the current sentencing guidelines, conviction on a charge of possession of five grams of crack cocaine draws a mandatory prison term of five years and possession of 10 grams draws a mandatory 10-year prison sentence. In order to get a 5-year sentence for cocaine, one would have to possess 500 grams of cocaine.

The sentencing differences between crack and cocaine lead to more African Americans spending long amounts of time in jail for crack while white, affluent cocaine users spent less time in jail for a possessing a drug that is essentially the same as crack. Judges had no discretion to mitigate the sentence for first-time or nonviolent offenders. The new law has moved to reduce any mandatory minimum sentence and makes cocaine and crack possession more similar. Please list at least one strength and at least one weakness of implementing the Fair Sentencing Act. Please defend each position. Please describe how extralegal factors (e.g., race) of the defendant may come into play. How can the legal system safeguard against extralegal factors known to impact juror decision making (*hint*: jury instructions, voir diring process)? How can the legal system account for sentencing and racial disparity? **(Due: Nov. 20)**