

PSY420

Psychology and Law

Exploring the Intersections of Social Science and the Law

University of Oregon
Department of Psychology
Winter 2020
Credits: 4



Instructor:

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Office: Straub 468
Office Hours: TH 2:30-3:30pm or by appt

Course Information:

Cascade Hall 202
Tuesdays & Thursdays 4:00-5:20pm
Max Enrollment: 35 students
Graded (No P/F Option)

OVERVIEW

This course is devoted to an exploration of the intersection of social science and the law. We will discuss issues of identity (e.g., eyewitness identification, interrogation, lie detection, and profiling), state of mind (competency, insanity, and other legal defenses based on the defendant's state of mind), legal process (e.g., jury decision-making), social policy (e.g., legal sanctions, capital punishment, discrimination), and the use of social science methods in legal contexts. In each of these areas, we will focus on understanding the practical problems that have been addressed by the law and how social science knowledge and methodology can be used to illuminate these issues.

OBJECTIVES

By the end of the course, students should have a broad familiarity with a variety of legal issues and the ways in which social science research and methodology have been applied to address these issues. You should understand the differences in the ways that jurists and social scientists approach issues and be able to perform simple legal and scientific analyses.

MATERIALS

- Costanzo, M. & Krauss, D. (2015). *Forensic and Legal Psychology: Psychological Science Applied to Law*. 3rd Ed. Worth Publishers.
- Additional Readings on Canvas (PDFs provided)

GENERAL WARNING

During this course, we will discuss a variety of legal cases involving crimes including robbery, rape, murder, and genocide. Images and videotapes containing disturbing depictions may be presented. If you believe that being exposed to discussions or depictions of these types of events would be injurious to you, do not enroll in this class.

ASSIGNMENT BREAKDOWN

	<i>% of Grade</i>
Participation	5
Quizzes/Tests	70
Case Study Project	10
Weekly Discussion Postings	15
	<i>Total 100</i>

Class Participation:

Everyone is expected to participate in class discussions. Even if you are not an especially talkative person, each student should try to offer at least one thoughtful comment or question per class. Discussions are an important part of this course and students should come prepared to discuss or ask about what they have read prior to each meeting.

Quizzes/Tests:

Quizzes will be administered on Tuesdays of each week. Each quiz will contain approximately 25-40 multiple-choice questions that cover material from the previous week's readings (typically this is one or two chapters in the textbook). You can drop your lowest two quiz grades at the end of the term.

Weekly "Contribution" Essays:

By Monday at noon of each week, students should submit a brief (300-500 word) contribution essay on the Canvas site in response to one of the prompts posted under "Discussions." Each week's Discussion will have at least two prompts listed, and you should pick one to respond to. This short essay should demonstrate your newly-acquired understanding of the issues in question (for example, prompts might ask: "What are some possible reforms that can be implemented to improve police interrogation procedures and reduce the risk of false confessions?" or "Discuss what available scientific evidence says about people's abilities to detect lies"). Your response should be specific, and incorporate material from the textbook, evidence from peer-reviewed journal articles, or other scholarly resources that might be useful in building a compelling and organized argument. Be careful to avoid uninformed speculation or unsupported claims, or to wander into a summary of all material covered that week. Stick to the prompt and be concise, as if this were a short answer question on an exam. Essays will be graded on a 5-point scale. You can drop your lowest grade at the end of the term. **Late Policy:** If you miss the due date, the highest grade you can receive is a 4/5. Submissions more than one week late will not be counted.

Case Study Project:

Students will participate in a mock trial exercise—or "case study project"—during the term. This will involve studying, discussing, and reenacting a court case in which psychological science becomes relevant. Students will select their case early in the term, and presentations will last several weeks. You will have some choice over which case you work on. A separate handout of full instructions is provided on Canvas.

SCHEDULE AND TOPICS

*Note 1: This schedule is subject to change at any time, and the most recent version of the syllabus will be housed on Canvas.

*Note 2: Required Readings are to be done BEFORE the class date next to which they are listed, so that we come prepared to discuss them during that class session.

Book Chapters Covered: 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 14, 15

WEEK 1	
1/7	<p>Introduction to the Course, Law & Legal Systems (CH1)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 1 • US Constitution Bill of Rights
1/9	<p>Orienting to Law (Policy) & Social Science (CH1 Cont'd)</p> <p><i>*Sign Up for Case Study Projects*</i></p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • How a Bill Becomes a Law (PDF) • How to Read a Court Document (PDF) • Parkhurst, J. O. (2016). Appeals to evidence for the resolution of wicked problems: the origins and mechanisms of evidentiary bias. <i>Policy Sciences</i>, 49(4), 373-393.
WEEK 2	
1/14	<p>Interrogations and Confessions (CH2)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 2
1/16	<p>Lie Detection (CH3)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 3

WEEK 3	
1/21	<p>Eyewitness Identification and Testimony (CH7)</p> <p><i>*Guest Lecture: Captain Wade*</i></p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 7 • APA Brief in Perry v New Hampshire (2011)
1/23	<p>Memory & Testimony (CH6)</p> <p><i>*Guest Lecture: Dr. Caitlin Bowman*</i></p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 6 <p><u>Additional Reading</u></p> <ul style="list-style-type: none"> • Wogalter, M., Malpass, R. & McQuiston, D. (2004). A national survey of US police on preparation and conduct of identification lineups. <i>Psychology, Crime, & Law, 10</i>, 69-82. • Wells, G. & Quinlivan, D. (2009). Suggestive Eyewitness Identification Procedures and the Supreme Court's Reliability Test in Light of Eyewitness Science: 30 Years later. <i>Law & Human Behavior, 33</i>, 1-24.
WEEK 4	
1/28	<p>Criminal Profiling (CH5)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 5 <p><u>Additional Reading</u></p> <ul style="list-style-type: none"> • Kocsis, R. (2003). Criminal psychological profiling: Validities and abilities. <i>International Journal of Offender Therapy and Comparative Criminology, 47</i>, 126-146.
1/30	<p>Predicting Violent Behavior, and Associated Issues (CH15) Group & Racial Profiling; Stops, Searches, Seizures; the Fourth Amendment</p> <p><i>*Guest Lecture: Dr. Holly Arrow*</i></p>

	<p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 15 <p><u>Additional Reading</u></p> <ul style="list-style-type: none"> • Payne, B. (2006). Weapon Bias: Split second decisions and unintended stereotyping. <i>Current Directions in Psychological Science</i>, 15, 287-291.
	WEEK 5
2/4	<p>Hiatus – No New Reading This Week</p> <p><i>*IN-CLASS: Quiz and Case Study Presentation Today*</i></p>
2/6	<p>Hiatus – No New Reading This Week</p> <p><i>*NO CLASS*</i></p> <p><i>Review Chapters from Weeks 1-5 of the Class</i></p>
	WEEK 6
2/11	<p>Recap Week</p> <p><i>*Guest Lecture: Dr. Sara Hodges*</i></p>
2/13	<p>Recap Week</p> <p><i>Quiz on Material from Weeks 1-5 of the Class</i></p>
	WEEK 7
2/18	<p>Discrimination & the 14th Amendment: Due Process & Equal Protection of the Law (CH14)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 14 <p><u>Additional Reading</u></p> <ul style="list-style-type: none"> • Norton, M., Sommers, S., Vandello, J., & Darley, J. (2006). Mixed motives and racial bias: The impact of legitimate and illegitimate criteria on decision-making. <i>Psychology, Public Policy, and Law</i>, 12, 36-55.

2/20	<p>Discrimination & the 14th Amendment: Due Process & Equal Protection of the Law (CH14)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • APA Amicus Brief in Fisher v University of Texas II • http://www.scotusblog.com/case-files/cases/fisher-v-university-of-texas-at-austin-2/ <p><u>Additional Reading</u></p> <ul style="list-style-type: none"> • Excerpts from <i>Griggs v Duke Power Co</i> (1971) • Excerpts from <i>Village of Arlington Heights v Metropolitan Housing Corp</i> (1977)
	WEEK 8
2/25	<p>Jury Selection and Trial Procedure (CH9)</p> <p><i>*Guest Speaker: Convincing Juries*</i></p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 9
2/27	<p>Juries and Judges as Decision-Makers (CH12)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 12
	WEEK 9
3/3	<p>Competency to Stand Trial (CH8)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 8
3/5	<p>The Insanity Defense (CH10)</p> <p><u>Required Reading</u></p> <ul style="list-style-type: none"> • Costanzo & Krauss, Chapter 10
	WEEK 10
3/10	<p>Final Day</p> <p><i>*Quiz, Wrap-Up and Reflect*</i></p>
3/12	N/A

INCLUSIVITY, ACADEMIC INQUIRY, and FREE SPEECH

According to University of Oregon policy:

Free speech is central to the academic mission and is the central tenet of a free and democratic society. The University encourages and supports open, vigorous, and challenging debate across the full spectrum of human issues as they present themselves to this community. Further, as a public institution, the University will sustain a higher and more open standard for freedom of inquiry and free speech than may be expected or preferred in private settings.

Free inquiry and free speech are the cornerstones of an academic institution committed to the creation and transfer of knowledge. Expression of diverse points of view is of the highest importance, not solely for those who present and defend some view but for those who would hear, disagree, and pass judgment on those views. The belief that an opinion is pernicious, false, and in any other way despicable, detestable, offensive or "just plain wrong" cannot be grounds for its suppression.

The University supports free speech with vigor, including the right of presenters to offer opinion, the right of the audience to hear what is presented, and the right of protesters to engage with speakers in order to challenge ideas, so long as the protest does not disrupt or stifle the free exchange of ideas. It is the responsibility of speakers, listeners and all members of our community to respect others and to promote a culture of mutual inquiry throughout the University community.

In this class, you are encouraged to express informed points of view on the topics discussed. You are also expected to consider divergent points of view. Ad hominem attacks should be avoided. You should think before you speak and consider whether your comments might be unnecessarily injurious to others. However, proper academic inquiry requires appropriate consideration of alternative perspectives, no matter how offensive. Learning can be uncomfortable.

INCLEMENT WEATHER POLICY

When relevant updates will be sent out via Canvas. As a guide, if Eugene School District 4J cancels (not delays) school, we will cancel class. If Eugene School District 4J delays school, class will not be cancelled.

COMMUNICATION

When communicating with your instructor via email, please put "PSY420" at the very start of the subject line, and then add some detail (e.g., "PSY420 Question about Readings"). Please feel free to speak up about any questions or concerns before, during, or after class (or in office hours). A goal for the course is to form an open communication climate in which everyone feels comfortable raising questions and having discussions during our weekly class sessions.

Discussion is an important part of this class, and anytime you are communicating with your peers, inside and outside of class, please remember to be respectful, patient, and thoughtful.

STUDENT WORKLOAD

When you complete this course, you will earn four credits toward your degree. Four credits are equal to 120 hours of work across the term (12 hours/week). You will spend approximately three hours in class each week, and the rest of your hours will come from reading and performing assignments.

ACADEMIC HONESTY

All work submitted in this course must be your own. The use of sources must be properly acknowledged and documented (*when in doubt, cite! If still unsure, ask!*), and you must write all papers yourself (no copying from other students, or having someone else write the paper for you). If I suspect academic dishonesty (cheating, plagiarism, etc.) I will contact you directly to discuss the issue, and will report it to the Office of Student Conduct and Community Standards unless the discussion convinces me that my suspicions are unwarranted. My preferred sanction is a failing grade for the paper or the course, depending on the severity of the violation. The Student Conduct Committee may decide on additional actions. If you are unclear about what constitutes academic dishonesty, please ask me, or see the Student Conduct Code at <https://studentlife.uoregon.edu/conduct>, or at: <http://uodos.uoregon.edu/StudentConductandCommunityStandards/AcademicMisconduct.aspx>

GRADING

Grades will be distributed as follows:

A+	99-100%	B+	87-89%	C+	77-79%	D+	67-69%	F	0-59%
A	93-98%	B	83-86%	C	73-76%	D	63-66%		
A-	90-92%	B-	80-82%	C-	70-72%	D-	60-62%		

The psychology department has specific guidelines on the level of achievement they think each letter grade should signify. Descriptions, here:

<http://psychology.uoregon.edu/courses/department-grading-standards/>

LATE POLICY

There is no guarantee that you will be given credit for late work. If you think you might miss an assignment deadline, the best thing to do is to contact the instructor as soon as possible in advance with an explanation and proposal for when the assignment can be turned in. It is at the instructor's discretion whether or not to accept late work, as well as what the penalty will be. It is possible assignments will receive -10% (out of 100%) for each day they are late, but any specific policy on late submissions must be worked out between individual students and the instructor.

SPECIAL ACCOMODATIONS

Accessible Education Center (AEC)

If you have a documented disability and anticipate needing accommodations in this course, please make arrangements to meet with the instructor as soon as possible. Also, please request that a counselor at the Accessible Education Center (uoaec@uoregon.edu, tel. 541-346-1155) send a letter verifying your disability. For a list of resources provided by the Accessible Education Center, please see <http://aec.uoregon.edu>.

If Writing Is a Particular Challenge for You

If you think you may have extra challenges with writing assignments, whether because English is not your native language or because your writing skills are weak for other reasons, please plan on consulting the writing tutors at the Tutoring and Learning Center (TLC) on the 4th floor of Knight Library. Drop in hours can be found here: <https://tlc.uoregon.edu/subjects/writing/>

Students for Whom English is a Second Language

If you are a non-native English speaker and think you may have trouble in this course due to language difficulties, please see the instructor as soon as possible to make any necessary special arrangements.

RESOURCES AND RESPECT

Prohibited Discrimination and Harassment Reporting

Any student who has experienced sexual assault, relationship violence, sex or gender-based bullying, stalking, and/or sexual harassment may seek resources and help at safe.uoregon.edu. To get help by phone, a student can also call either the UO's 24-hour hotline at 541-346-7244 [SAFE], or the non-confidential Title IX Coordinator at 541-346-8136. From the SAFE website, students may also connect to Callisto, a confidential, third-party reporting site that is not a part of the university.

Students experiencing any other form of prohibited discrimination or harassment can find information at respect.uoregon.edu or aaeo.uoregon.edu or contact the non-confidential AAEO office at 541-346-3123 or the Dean of Students Office at 541-346-3216 for help. As UO policy has different reporting requirements based on the nature of the reported harassment or discrimination, additional information about reporting requirements for discrimination or harassment unrelated to sexual assault, relationship violence, sex or gender based bullying, stalking, and/or sexual harassment is available at <http://aaeo.uoregon.edu/content/discrimination-harassment>(link is external)

Specific details about confidentiality of information and reporting obligations of employees can be found at <https://titleix.uoregon.edu>(link is external).

Mandatory Reporting of Child Abuse

UO employees, including faculty, staff, and GEs, are mandatory reporters of child abuse. This statement is to advise you that your disclosure of information about child abuse to a UO employee may trigger the UO employee's duty to report that information to the designated authorities. Please refer to the following links for detailed information about mandatory reporting: <https://hr.uoregon.edu/policies-leaves/general-information/mandatory-reporting-child-abuse-and-neglect/presidents-message>

Safe Travel to/from Class

Safe Ride is an assault prevention shuttle that works to provide free, inclusive, and accessible alternatives to traveling alone at night for UO students, faculty, and staff. C: 541 346 7433 ext 2