

SOCI 391 - Death Penalty

Fall 2019

MWF 10:00 to 10:50pm, SS 254

INSTRUCTOR INFORMATION:

Dr. Erica Redner-Vera

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Office: SS 307

Office Hours: W 1-2:30pm, TH 10-12 (& by appointment)

COURSE DESCRIPTION

This course will examine the death penalty and the many controversies surrounding its continued use. This course overviews the historical and contemporary death penalty in the United States focusing on controversies related to potential innocence, special populations, methods of execution, cost, deterrence, and issues related to race, ethnicity, and gender bias.

COURSE OBJECTIVES

- Students will demonstrate knowledge of the legal environment of capital punishment.
- Students will demonstrate knowledge of the arguments for and against capital punishment.
- Students will demonstrate knowledge surrounding controversies related to capital punishment.
- Students will be able to critically assess the future of capital punishment in the United States.

REQUIRED READING

Vollum, S., del Carmen, R.V., Frantzen, D., San Miguel, C., & Cheeseman, K. (2014, 3rd Ed.), *The Death Penalty: Constitutional Issues, Commentaries, and Case Briefs*.

The book is available in the campus bookstore.

MOODLE -- ADDITIONAL READINGS and IMPORTANT ANNOUNCEMENTS

Additional course readings and announcements will be posted on the Moodle System. I may occasionally post other material from our discussions on Moodle. You can access Moodle for this course by clicking on the Moodle link in Cyberbear, and then finding the class by my last name (Redner-Vera) or SOCI391. You may download and print assigned readings not in the main texts. Go to any computer lab on campus or print from home if you have the necessary file readers and computer programs.

CITATION STYLE

Students are required to use the citation style and format of the American Psychological Association (APA). It is acceptable to cite legal materials (cases, statutes, regulations, etc.) in accordance with the style specified in The Bluebook.

CLASSROOM COURTESY

You should be aware that we will discuss a number of subjects that you may find controversial. In all of our class discussions, you will be expected to be respectful toward your classmates, despite any disagreement you may have with a classmate's ideas. In this way, we will foster an atmosphere in which each student feels comfortable presenting his or her thoughts, as well as critiquing the arguments presented by others. You should not worry that your grade will be affected if you express opinions different from what you perceive my opinions to be. Instead, focus upon using evidence and logic to present your own arguments and in critiquing the arguments of others. In following these ground rules, I expect our discussion to be lively, interesting, and intellectually challenging.

Please plan to arrive on time for all class sessions and to stay for the entire class. If you must arrive late or leave early, please notify me in advance and sit near the door so as not to disturb your classmates. Cell phones should be turned off before entering the classroom. When class begins, please put away all other materials. Laptops may not be used unless you have a documented disability that requires the use of a laptop, as these devices are distracting for other students. Finally, wait until the end of class before putting away your books. **I reserve the right to revoke extra credit points earned or offered if any of the above is not followed.**

ACADEMIC HONESTY

All students are responsible for maintaining the highest standards of honesty and integrity in every phase of their academic careers. A couple of examples of academic dishonesty are copying from another student's article summaries or presenting another's work as your own in a paper. Ensure that all resources utilized in your papers are appropriately cited. Please note that students who assist other students in academically dishonest acts are in violation of the policy of academic honesty. All students must be aware of and carefully adhere to the provisions defining and prohibiting academic misconduct in the UM Student Conduct Code. A full version is available at http://life.umt.edu/vpsa/student_conduct.php. The penalties for academic dishonesty are severe and ignorance is not an acceptable defense.

STUDENTS WITH DISABILITIES:

Students with disabilities of any sort, please identify yourselves to me as soon as possible to document your disability and arrange for accommodations.

STUDENT ADVOCACY RESOURCE CENTER

The Student Advocacy Resource Center (SARC) provides free and confidential support to survivors of sexual assault, relationship violence, stalking, hate crimes, harassment, or other forms of discrimination. Our services include counseling as well as medical, legal, and academic advocacy. SARC is a confidential resource – contacting us does NOT mean that you are making a report to law enforcement or Title IX. You deserve to be safe, supported, and treated with care and respect. We also offer help to your friends, family, or partners. SARC is located in Curry Health Center, Room 108. Please visit us or call our office at 243-4429. Advocates are available on the 24-hour support line (406) 243-6559.

BASIC NEEDS STATEMENT

Any student who faces challenges securing food or housing, and believes that this could affect their performance in this course, is urged to contact any or all of the following campuses resources:

- Food Pantry Program

UM offers a food pantry that students can access for emergency food. The pantry is open on Tuesdays from 9 to 2, on Fridays from 10-5. The pantry is located in UC 119 (in the former ASUM Childcare offices). Pantry staff operate several satellite food cupboards on campus (including one at Missoula College). For more information about this program, email umpantry@mso.umt.edu, visit the pantry's website (<https://www.umt.edu/uc/food-pantry/default.php>) or contact the pantry on social media (@pantryUm on twitter, @UMPantry on Facebook, um_pantry on Instagram).

- ASUM Renter Center

The Renter Center has compiled a list of resources for UM students at risk of homelessness or food insecurity here: <http://www.umt.edu/asum/agencies/renter-center/default.php> and here: <https://medium.com/griz-renter-blog>.

Students can schedule an appointment with Renter Center staff to discuss their situation and receive information, support, and referrals.

- TRiO Student Support Services

TRiO serves UM students who are low-income, first-generation college students, or have documented disabilities. TRiO services include a textbook loan program, scholarships and financial aid help, academic advising, coaching, and tutoring.

Students can check their eligibility for TRiO services online here: <http://www.umt.edu/triosss/apply.php#Eligibility>.

- If you are comfortable, please come see members of the teaching team. We will do our best to help connect you with additional resources.

COURSE REQUIREMENTS

1. **Attendance as Extra Credit:** Attendance is essential for success in this course. Attendance will be taken 15 times throughout the semester (Hint: Friday!). If you are on time and attend these days, you will earn 1 point; if you are late or do not attend, you will receive 0 points. Attendance points are extra credit—the only extra credit allowed in the course. All extra credit points will be applied to the exams. **Be sure to attend class if you want extra credit.**
2. **Assigned Readings:** You should come to class having read the assigned readings. Readings from the text are clearly noted on the class schedule.
3. **Exams:** There will be five unit exams, covering specific chapters from the text, lectures, and weekly discussions. The course does not have a comprehensive final. The last unit exam (#5) will be given during finals week. Each exam will be composed of 60 objective questions (multiple choice and true - false), worth 1 possible point each. Fifty-five questions (55 points) are drawn from class material and the course textbook. Five questions (5 points) are drawn from class discussions. The five tests are worth **300 total**

possible points.

4. **Discussion Groups:** Each Friday we will hold a discussion forum in class. This forum will allow us to discuss a different issue or topic regarding the death penalty each week. For the first few weeks I will present an issue for our discussion. We will begin with a discussion on August 30 on abolishing the death penalty. Thereafter, from September 13 until the end of the course, discrete groups of students will be responsible for presenting and directing the discussions. I will randomly assign people to 7-8 person groups and I will circulate email lists for each group so you have a way of contacting each other. The discussion group is responsible for providing the class with a topic and some background information by, at the very latest, the Monday of the week they are to present (e.g., for Group A, it will be by Monday, September 9) and for presenting their topic to the class on their designated day. Group presentations should be no longer than 15 minutes (strictly enforced), which will be followed by a 20-25 minute discussion, which the group members will direct. The topic you choose can be a single event or a national issue, but it must fall under the rubric of the death penalty and cannot be a topic previously discussed in class. You can use powerpoint or video/DVD clips but again you should ensure that you do not go over the time allowed. Each group will be graded on their overall presentation (**20 points**), and this will be done in two ways. Half of your group presentation grade will be given to the overall presentation (**10 points**), and then you will be rated for your individual contribution to the group (**10 points**). Individual contributions are rated by each member of the group, who will grade their own contribution and that of others in the group. This is then used to weight the individual overall grade. The way this works is if your group gets a B for your discussion topic but you have worked very hard, and everyone in the groups agrees that you have worked hard, then your grade will be assessed higher than the group grade. Conversely, if your group gets an A and you do nothing, your grade will be assessed lower. This way we guard against the free rider problem where someone is in a good group but does nothing to help—they will not be rewarded for doing nothing—they will be penalized instead. I will divide people into groups by September 4 and will set aside time at the end of that class for the groups to meet each other, make sure that everyone has their fellow group members email address and to get started on a topic. All topics should be cleared with me before proceeding.
5. **Discussion Reaction Paper:** You are responsible for turning in a 3-page paper on any topic discussed in the class *except* your own (*Times New Roman, double-spaced, 12-point font, 1 inch margins, minimum of one academic source*). I will provide detailed instructions separately. The paper must be written on another topic, and is due to me in class by December 4. This is a rolling deadline, meaning that you can hand the paper in any time up to Wednesday, December 4. The discussion paper is an opportunity for you to examine the issue that you have seen presented and to comment on what you think are the most important aspects of this issue, and to use what you learn in the course and apply it to the subject matter. The paper should demonstrate that you have taken the trouble to learn about the issue and that you have additionally thought about it and offer a measured opinion based on this analysis. You will be given one opportunity to resubmit the reaction paper to receive a higher score. The second submission must be written on an entirely new topic. The grade received on the second submission will count as your final reaction paper grade. The paper counts for **10 points**.

COURSE GRADE

Your grade in this course will be calculated based on the total number of points earned throughout the semester.

Graded Items

Grades for the course will be based on the following items:

| | |
|----------------------------------|-------------------|
| Exams (5 x 60 points each) | 300 points |
| Discussion Group | 20 points |
| <u>Discussion Reaction Paper</u> | <u>10 points</u> |
| Total | 330 points |

Final Grade

Final grades for the course are based on the following scale. Please note that course grades are not rounded up to the next letter grade.

| Letter Grade | Number Grade |
|---------------------|---------------------|
| A | 93 to 100 |
| A- | 90 to 92 |
| B+ | 87 to 89 |
| B | 83 to 86 |
| B- | 80 to 82 |
| C+ | 77 to 79 |
| C | 73 to 76 |
| C- | 70 to 72 |
| D+ | 67 to 69 |
| D | 63 to 66 |
| D- | 60 to 62 |
| F | 59 and below |

SOCI 391 Reading/Assignment Schedule Fall 2019 (subject to change)

Readings listed for a given date should be completed PRIOR to class as we will be covering them in class. Any assignments are due at the beginning of class on the date listed or they will be considered late.

Course Schedule

Week 1:

Monday, August 26: Introduction to the Course

Wednesday, August 28: Chapter 1

Friday, August 30: Discussion—Chapter 1/Discussion: *Abolish the death penalty*

Week 2:

Monday, September 2: Labor Day Observed, No Class

Wednesday, September 4: The Foundation Cases: *Furman v. Georgia* and *Gregg v. Georgia*—Chapter 2
*First Group Meeting

Friday, September 6: Discussion

Week 3:

Monday, September 9: Race and the Death Penalty—Chapter 3:43-57

Wednesday, September 11: Race and the Death Penalty—Chapter 3:57-73

Friday, September 13: Discussion—Group A

Week 4:

Monday, September 16: The Mentally Impaired and the Death Penalty—Chapter 4:75-87

Wednesday, September 18: The Mentally Impaired and the Death Penalty—Chapter 4:88-106; *Review*

Friday, September 20: **Exam #1, Chapters 1, 2, 3, and 4**

Week 5:

Monday, September 23: The Death Penalty for Juveniles—Chapter 5:107-112

Wednesday, September 25: The Death Penalty for Juveniles—Chapter 5:113-128

Friday, September 27: Discussion—Group B

Week 6:

Monday, September 30: Juries, Jurors, and the Death Penalty—Chapter 6:129-133

Wednesday, October 2: Juries, Jurors, and the Death Penalty—Chapter 6:134-154

Friday, October 4: Discussion—Group C

Week 7:

Monday, October 7: *Review*

Wednesday, October 9: **Exam #2, Chapters 5 and 6**

Friday, October 11: Discussion—Group D

Week 8:

Monday, October 14: The Right to Effective Assistance of Counsel and the Death Penalty—Chapter 7:155-161

Wednesday, October 16: The Right to Effective Assistance of Counsel and the Death Penalty—Chapter
7:161-192

Friday, October 18: Discussion—Group E

Week 9:

Monday, October 21: Due Process and the Death Penalty—Chapter 8:193-199

Wednesday, October 23: Due Process and the Death Penalty—Chapter 8:200-219

Friday, October 25: Discussion—Group F

Week 10:

Monday, October 28: Aggravating and Mitigating Factors in Death Penalty Cases—Chapter 9: 221-232

Wednesday, October 30: Aggravating and Mitigating Factors in Death Penalty Cases—Chapter 9: 232-252

Friday, November 1: Discussion—Group G; *Review*

Week 11:

Monday, November 4: **Exam #3, Chapters 7, 8, 9**

Wednesday, November 6: Appeals, Habeas Corpus, and the Death Penalty—Chapter 10

Friday, November 8: Discussion—Group H

Week 12:

Monday, November 11: Veterans Day Observed, No Class

Wednesday, November 13: Evolving Standards of Decency and the 8th Amendment's Ban on Cruel and Unusual Punishment—Chapter 11

Friday, November 15: Discussion—Group I; *Review*

Week 13:

Monday, November 18: **Exam #4, Chapters 10 and 11**

Wednesday, November 20: Other Issues, Trends, and the Future of the Death Penalty—Chapter 12

Friday, November 22: Discussion—Group J

Week 14:

Monday, November 25: Exonerations

Wednesday, November 27: No Class—Travel Day

Friday, November 29: No Class—Thanksgiving

Week 15:

Monday, December 2: Collateral Damage

Wednesday, December 4: *Review*

**Reaction Paper Due*

FINALS WEEK

Thursday, December 12, 8-10am: **Exam #5, Chapter 12, Exonerations, and Collateral Damage**