

Wrongful Convictions

Sect: 01, 74937 SOCI 491

Autumn Semester 2020

Course Information:

MWF 2:00-2:50

Remote Instruction

Contact Information:

Instructor: Larry D. Mansch

Phone (406) 274-4116

Email: larry.mansch@mso.umt.edu

Course Description:

This course will provide students with an overview of the issues and case law related to wrongful convictions. Students will gain an appreciation of the causes of wrongful convictions, to include eyewitness misidentification, police and prosecutorial misconduct, false confessions, incentivized “snitch” testimony, invalidated or “junk” forensic science, and ineffective defense lawyering. Burdens of proof and judicial standards of examination, as set forth by statute and controlling case law, will be analyzed. Court decisions from both state and federal courts will be examined. An emphasis on legal writing will provide students with the opportunity to examine the issues and legal arguments of important case law, and construct legal memoranda in support of the parties’ positions.

Course Outcomes:

Upon completion of this course, you will:

- Understand the history of wrongful convictions and efforts to modify the criminal justice system to prevent them;
- Recognize the causes of wrongful convictions and the legal standards that are utilized to distinguish them;
- Appreciate landmark cases that illustrate wrongful convictions;
- Understand how the legal system has responded to wrongful convictions and the efforts made to prevent them, and to compensate the truly innocent.

Required Text:

There is no required text in this course. Primarily, the course will be run in seminar and discussion format. However, there will also be debates, small group exercises and presentations, and training on fact investigation and research and writing memoranda. Extensive reading of case law and other materials is required.

Course Expectations and Requirements:

- Assigned Reading: You should come to class having read the assigned readings. This will allow you to more fully understand and engage in the material presented in class.
- Discussion: Participation in class discussions is essential.
- Quizzes and Exams: There are quizzes for each section of study. Most questions will be short answer, T/F and multiple choice. There will be one final exam at the end of the semester. Exams cannot be redone. There are no opportunities for extra credit in this course.
- Grading Scale: Grading is on a ten-point scale (90-100 is an A; 80-89 is a B, etc.)

Academic Honesty and Integrity (UM Official Statement):

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the university. All students must be familiar with the Student Conduct Code. This code is available for review online at <http://www.umt.edu/SA/VPSA/index.cfm?page/1321>.

Course Schedule:

Introductions and Overview; Websites; Case briefing

Notorious Cases of Wrongful Convictions

Ineffective Assistance of Counsel (Strickland v. Washington)

Prosecutorial Misconduct (Brady v. Maryland)

Snitches/Eyewitness Misidentification; False Confessions

Forensic Evidence

Infant Deaths

The Science of DNA

Compensation and Assimilation

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Sociology of Law Enforcement

Sociology 362

74505

Autumn Semester 2020

Course Information:

MWF 12:00-12:50

Remote Instruction

Contact Information:

Instructor: Larry D. Mansch

Phone: (406) 274-4116

Email: larry.mansch@mso.umt.edu

Course Description:

This course offers a sociological analysis of American law enforcement. We will study the structure, role, and processes of law enforcement in modern societies. Law enforcement is viewed as a formal, institutional structure of social control that is a product of historical development as well as cultural, social, and political influences. Thus, we will examine how and why policing developed as a mechanism of social control and the social and cultural forces that influence the way in which the police perform their role.

Course Outcomes:

Upon completion of this course, you will:

- Understand the history of American law enforcement and why it developed as a formal means of social control.
- Be aware of the strategies and tactics that are used by the police to maintain and manage their roles in society.
- Become familiar with the internal issues that influence the attitudes and opinions of the police.
- Learn about the issues that the police face in the day-to-day interactions that they have with the public and how these are changing in contemporary society.

Required Text:

Cox, Steven M., David Massey, Connie M. Koski, Brian D. Fitch. Introduction to Policing. 2020. Thousand Oaks, CA: Sage Publications, Inc.

Student Study Site: edge.sagepub.com/coxpolicing4e/access OR
<https://edge.sagepub.com/coxpolicing4e1/student-resources/chapter-1/learning-objectives>

Course Expectations and Requirements:

1. Assigned Reading: You should come to class having read the assigned readings. This will allow you to more fully understand and engage in the material presented in class.

2. Discussion: Participation in class discussions is essential.

3. Quizzes and Exams: There will be occasional quizzes throughout the semester – likely no more than one per text chapter. There are five non-cumulative exams, one for each section of the text. Most questions will be T/F and multiple choice. Terms in bold will always be included. There will be one final exam at the end of the semester. Exams cannot be redone. There are no opportunities for extra credit in this course.

4. Grading Scale: Grading is on a ten-point scale (90-100 is an A; 80-89 is a B, etc.)

Academic Honesty and Integrity (UM Official Statement):

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Course Schedule:

Part I Foundations of Policing

Chapter 1: Policing in the United States

Chapter 2: A Brief History of Police in the United States

Chapter 3: Police Organization and Administration

Part II Police Operations

Chapter 4: Recruitment and Selection of Police Officers

Chapter 5: Police Training and Education

Chapter 6: Police Work: Operations and Functions

Chapter 7: Contemporary Strategies in Policing

Part III Police Conduct

Chapter 8: The Police Culture and Work Stress

Chapter 9: Law, Court Decisions, and the Police

Chapter 10: Ethics and Decision-Making

Chapter 11: Police Misconduct and Accountability

Part IV Contemporary Issues in Policing

Chapter 12: Policing in a Diverse Society

Chapter 13: Technology and the Police

Chapter 14: Organized Crime, Homeland Security, and Global Issues

Chapter 15: Private Security

Part V Looking Ahead

Chapter 16: The Future of Policing in the United States