



Society for the Teaching of Psychology (APA Division 2)
OFFICE OF TEACHING RESOURCES IN PSYCHOLOGY (OTRP)
Department of Psychology, University of St. Thomas, 3800 Montrose Blvd., Houston, TX 77006

Course Guide (1 April 2005)

PL 470 Forensic Psychology

1. Introduction

The American Academy of Forensic Psychology notes that “forensic psychology is the application of the science and profession of psychology to questions and issues relating to law and the legal system. The word ‘forensic’ comes from the Latin word ‘forensis,’ meaning ‘of the forum,’ where the law courts of ancient Rome were held. Today forensic refers to the application of scientific principles and practices to the adversary process where specially knowledgeable scientists play a role.”

The lead author of our course text (Wrightsman) notes that forensic psychology is “... any application of psychological knowledge or methods to a task faced by the legal system.” Forensic psychologists can play many roles: from criminal profiler to child-custody evaluator, from police counselor to prison psychologist, from expert witness to evaluation researcher.

This course focuses upon the criminal justice system and does not address civil cases. When a crime appears to have been committed and authorities have been notified, the legal apparatus or the criminal justice system is set in motion. The criminal justice system is the societal response to crime and includes three major activities - law enforcement, the judicial process, and corrections. In this course, forensic psychology is the application of psychology to these three components of the criminal justice system.

2. Course purpose

The purpose of this course is to provide the student with an overview of (a) the theories that support the utilization of psychology in the criminal justice system and (b) how those theories and psychological research are applied in law enforcement, the courts, and in corrections. Although the focus in the course is primarily on the United States, some attention is devoted to an international view of forensic psychology.

3. Course goal

Given psychological concepts, theories, and research findings, analyze the nature and contributions of psychology to (1) understanding crime and delinquency and (2) the effectiveness of the criminal justice system as that system responds to the challenge of crime in a free society.

Specific performance objectives include:

- a. apply the scientific method to the study of psychology and the criminal justice system
- b. examine the legal system through the use of psychological concepts, methods, and research results
- c. summarize the legal history and the current status of relevant legal theories and court decisions

- d. discuss the contributions of psychology to the major components of the criminal justice system (law enforcement, the courts, and corrections)
- e. differentiate the dominant psychological explanations of crime and delinquent behavior
- f. illustrate the American societal response - through its criminal justice system - to the challenge of crime in a free society

4. Evaluation

a. Graded requirements serve two purposes:

- (1) To provide you and the instructor with a means to assess achievement of the course goal; and,
- (2) To serve as a forum for feedback on your performance.

b. Judgment of student performance is based solely on your ability to achieve predetermined standards, specifically the course goal and performance objectives which are defined for you during the first day of class. Your work is judged on the ability to meet these standards, not through comparison with other students. This is a criterion-referenced course and as such there is no curve. Your performance alone determines your final grade.

c. The weighting of graded requirements is as follows:

Midterm Examination 1	100 points
Midterm Examination 2	100 points
Midterm Examination 3	100 points
Issue Paper	200 points
Classroom Debate	100 points
Classroom Participation	100 points
Term End Examination	<u>300 points</u>
	1000 points

(1) The Midterm Examinations examine your performance on three specific occasions, each covering approximately one-third of the course. Each Midterm Examination allows you (and the faculty member) to assess your progress toward meeting the course goal and its performance objectives.

(2) Issue Paper: See Appendix B

(3) Classroom Debate: See Appendix C

(4) Classroom participation: See Appendix D

(5) The Term End Examination requires you to demonstrate mastery of the course goal through one or more essays that address theories of psychology and their research foundations, as well as the application of psychology to the criminal justice system including its law enforcement, judicial, and correctional components. In sum, the Term End Examination focuses on psychology and its contribution to meeting the challenge of crime through the American criminal justice system.

d. Letter grades for each requirement and the final course grade are determined by using the following criteria:

Letter Grade	Percent
A+	95 - 100%
A	93 - 94.9
A-	90 - 92.9%
B+	87 - 89.9%
B	83 - 86.9%
B-	80 - 82.9%
C+	77 - 79.9%
C	73 - 76.9%
C-	70 - 72.9%
D	67 - 69.9%
F	Less than 67%

e. Late submission of homework has adverse consequences. The Dean's guidance:

(1) Reduce the grade for academic work submitted after the prescribed time by one full letter grade for each 24 hours the assignment is late.

(2) For requirements worth 20% or more of the overall course grade, initiate disciplinary action by reporting the cadet's duty failure on a Form 2-1.

5. Texts

Wrightsmann, L. S., Greene, E., Nietzel, M. T., & Fortune, W. H. (2002). *Psychology and the legal system* (5th ed.). Belmont, CA: Wadsworth.

The acronym "PLS" throughout the Course Guide refers to the text.

6. Course Guide

The purpose of this Course Guide is to provide students enrolled in Forensic Psychology with information necessary for successful completion of the course requirements. The Course Guide provides a lesson-by-lesson outline of the course to include lesson objectives, reading assignments, discussion questions, and key terms used by the authors in the reading assignments. During class we focus upon lesson objectives and the clarification of any issues that were found to be confusing in the assigned readings.

7. Additional Instruction

Additional Instruction (AI) generally is available at any time. Specific appointments for AI may be made before or after class, in the office, by phone or by e-mail.

8. Instructor Data

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Appendix A - Course Schedule

Appendix B - The Issue Paper

Appendix C - Classroom Debate

Appendix D - Classroom Participation

Appendix E - Lesson Outlines

Robert M. Carter, Ph.D.
Course Director

Appendix A: Course Schedule, Spring 2005

Lsn	Day 1, B Hour	Lesson Title
1	10 Jan	Introduction to the Course

Part I, Introduction to Psychology and the Criminal Justice System (Forensic Psychology)

2	12 Jan	Psychology and the Law
3	14 Jan	(continued)
4	19 Jan	Psychologists and the Legal System
5	21 Jan	(continued)
6	25 Jan	Legality, Morality, and Justice
7	27 Jan	(continued)
8	31 Jan	The Legal System and Its Players
9	2 Feb	(continued)
10	4 Feb	Theories of Crime
11	8 Feb	(continued)
12	10 Feb	Midterm Examination 1

Part II, Law Enforcement: Forensic Psychology and the Criminal Justice System

13	14 Feb	Field Trip: Law Enforcement or Research Period
14	16 Feb	The Police and the Criminal Justice System
15	22 Feb	(continued)
16	24 Feb	Crime Investigation: Witnesses
17	28 Feb	(continued)
18	2 Mar	Identification and Evaluation of Criminal Suspects
19	4 Mar	(continued)
20	8 Mar	Midterm Examination 2

Part III, The Courts: Forensic Psychology and the Criminal Justice System

21	10 Mar	Field Trip: the Courts or Research Period
22	22 Mar	The Rights of Victims and the Rights of the Accused
23	24 Mar	(continued)
24	28 Mar	Between Arrest and Trial
25	30 Mar	(continued)
26	1 Apr	Forensic Assessment in Criminal Cases
27	5 Apr	(continued)
28	7 Apr	The Trial Process
29	11 Apr	(continued)
30	13 Apr	Jury Trials: Jury Representativeness and Selection
31	15 Apr	(continued)
32	19 Apr	Jury Trials: Concerns and Reforms
33	21 Apr	(continued)
34	25 Apr	Midterm Examination 3

Part IV, Victims and Sentencing: Forensic Psychology and the Criminal Justice System

35	27 Apr	Field Trip: Corrections or Research Period
36	29 Apr	Psychology of Victims
37	3 May	(continued)
38	5 May	Punishment and Sentencing
39	9 May	(continued)
40	12 May	Course Summary and Review

Appendix B: The Issue Paper Requirement

1. The overall purpose of the issue paper effort is to be able to concisely state an issue, explore its ramifications, identify collateral issues, propose alternative ways to deal with the issue, and anticipate consequences of the alternatives.
2. An issue in the PL 395 context is a question about forensic psychology and the criminal justice system on which there is not consensus, normally starting with the word "should," to which the answer may be "yes" or "no."

An example: "Should the insanity defense be allowed in criminal trials?"

3. In the issue paper, you detail arguments on both sides of the issue and, based upon those arguments, choose a position and defend it. *The paper should have approximately three pages devoted to arguing each side of the issue, and one page indicating the position on the issue selected and justification for that choice.*
4. The topic for the final issue papers is selected by the individual student and must be approved by the faculty member. This approval is obtained by submitting a one-page statement detailing the proposed issue and its significance to forensic psychology. The issue chosen must have relevance for forensic psychology, the criminal justice system, and the law.
5. Preparation of the issue paper requires considerable research and thought; it is not a document based uniquely upon personal opinions. The arguments made and the positions selected must be drawn from data, expert opinion, and other documented sources.
6. The preparation of an issue paper is a six-step process.
 - a. State the issue succinctly and as a question, starting with the word "Should".
 - b. Take a "yes" position on the issue and identify briefly the reasons that justify the "yes" position - three to five reasons are a sufficient number.
 - c. For each of your reasons justifying your "yes" position on the issue, prepare one paragraph that provides some detail about that reason. Each reason should be defended in a separate paragraph - that is, four arguments supporting the "yes" position should produce four paragraphs expanding on those arguments.
 - d. Take a "no" position on the issue and identify briefly the reasons that justify the "no" position; again, three to five reasons are a sufficient number.
 - e. As was the case in defending the "yes" position, prepare one paragraph that provides some detail about that reason - again, each reason detailed in a separate paragraph.
 - f. Finally, prepare a discussion detailing your personal position on the issue and the reasons why you found the arguments compelling and not compelling in selecting either "yes" or "no" on the issue.
7. Submission dates:
 - a. The required date for submission of the one page "approval" request identifying an issue and its significance as outlined in paragraph 4 above is Lesson 13, 14 February, not later than 1700.
 - b. The issue paper itself is to be submitted by Lesson 35, 27 April, not later than 1700.

8. West Point Writing Standards (EAL 21, pp. 39-40). Students are expected to meet the Military Academy Writing Standards in terms of grammar, composition, syntax, spelling, and citations for non-original materials. The domain of communication is marked in four dimensions:

a. Substance. Factual accuracy, appropriate and adequate evidence, pertinent research, purposeful uses of data, quality of ideas, and propriety of attribution.

b. Organization. Coherence, intelligibility, conciseness, orderliness, soundness of logical relationships, persuasiveness, completeness, method and form of presentation.

c. Style. Fluency of language, precision of vocabulary, appropriateness of tone, effectiveness of sentence structure, use of active verbs, imaginative use of language.

d. Correctness. Observance of appropriate usage, grammar, spelling, punctuation, documentation, format and other conventions of educated discourse.

9. Documentation: The required documentation standard for BS&L and accordingly, for PL 470, is (1) parenthetical text citations and (2) a list of sources at the end of the document (end notes). Your issue paper must meet this documentation standard. You will find details and examples starting at page 841 in the 8th edition of the Little, Brown Handbook under the title of “Citing sources in the social sciences: APA style.” In order to avoid plagiarism, it is necessary that the source(s) of non-original materials and ideas be properly documented.

10. Two topics may not be selected for the issue paper. The first is the issue of the insanity defense in criminal trials (an outline appears below); the second is the issue of capital punishment, an example of which was provided students who were enrolled in PL 393, Criminology and the Criminal Justice System.

12. An outline of a psychology and the criminal justice system issue paper follows.

Issue: Should the insanity defense be allowed in criminal trials?

Yes, the insanity defense should be allowed in criminal trials for the following reasons (about three pages):

1. the motivation of an offender is as important as the actual behavior of the offender;
2. an individual should not be held accountable and/or sentenced for behavior over which he or she has no control;
3. the concepts of justice and fairness require an understanding of the total individual; and,
4. the insanity defense recognizes the importance of psychology in the courtroom.

As relates to the first point, _____

_____.

Individuals should not be held responsible for behavior over which they have no control. Thus, _____

_____.

Although the trial process obviously must focus upon legal issues, the concepts of justice and equity require knowledge about the individual charged with a criminal offense. Therefore, _____

_____.

Finally, psychology as a behavioral science can make significant contributions in the courtroom, just as it has contributed to understanding behavior in the non-legal environment. _____

_____.

No, the insanity defense should not be allowed in criminal trials for the following reasons (about three pages):

1. Psychology is not yet a precise science as evidenced by the often conflicting testimony from the prosecutor's and the defense attorney's forensic witnesses.
2. The insanity defense is not equally available to all offenders, but rather to those who can afford to hire the best attorneys, psychologists, and psychiatrists.
3. The insanity defense does not hold people accountable for their behavior; and,
4. Psychological theories do not fit real-world problems.

As relates to the first point, not only is conflicting testimony offered in the courtroom, but there also are significant differences across the states as to definitions of insanity. These include the M'Naughten Rule, Irresistible Impulse, and the American Law Institute Test. _____

_____.

As relates to the second point, expert witnesses generally receive payment for their testimony and are thus likely to be influenced by the side that hires them - either the prosecution or the defense. _____

_____.

Also, individuals must be held accountable for their behavior. If this were not the case, the protection now offered to society by its criminal justice system would be weakened because _____

_____.

Finally, psychological theories and the methods of psychological research that produced them may be appropriate for the classroom and the laboratory, but are not satisfactory for the real world of criminal justice. The evidence for this includes the "twinkie," "Black rage," and the "gay panic" defenses. _____

_____.

Discussion (about one page):

In looking at the arguments for and against the use of the insanity defense in criminal trials, it appears that that the insanity defense should be (retained/terminated) because _____.

I find the most compelling arguments for this position to be _____

_____.

In summary, _____

_____.

Reminder: Late submission of homework has adverse consequences. The Dean's guidance:

(1) Reduce the grade for academic work submitted after the prescribed time by one full letter grade for each 24 hours the assignment is late.

(2) For requirements worth 20% or more of the overall course grade, initiate disciplinary action by reporting the cadet's duty failure on a Form 2-1.

Appendix C: The Classroom Debate Requirement

1. Purpose: Starting at Lesson 14 and in a number of different Lessons, there are scheduled in-class debates. Topics for the debates are relevant to the subject matter under study and normally take place during the second Lesson devoted to that subject matter. Some appropriate topics, but not a complete list, have been incorporated into Lessons in this Course Guide to serve as illustrations.

During the course of the semester, in self-selected teams-pairs, each student argues for or against a designated proposition. The primary purpose of this requirement is to give each student an opportunity to examine a current issue in forensic psychology in greater depth. The debate format also provides each student an opportunity to practice and perfect oral presentation skills. Additionally, all students in the class gain additional insight and understanding of current forensic psychology issues.

2. Task: Each student is required to argue for or against a specific forensic psychology proposition. The debate is graded as follows:

a. Bibliography (35 points): Submit a bibliography listing source articles or publications that are utilized to support or refute the proposition. Attach a copy of *the* article that you believe has the most utility to support your argument. PL 395 course texts and materials may not be listed. The bibliography is *due one Lesson prior to the scheduled debate*.

b. Outline (15 points): Prepare *one* straightforward and simple power point slide or over-head projector transparency which contains on:

(1) line one: the topic of the debate,

(2) line two: either “arguments supporting the proposition” or “arguments against the proposition,”

(3) lines 3+: three or four “one-liners” which are the substance of your position on the topic.

c. Opening statement and class involvement (50 points): The student supporting the proposition begins the debate with a short (five to ten minutes) statement in which the proposition is defended. This statement parallels the outline above. This is followed by a similar opening statement by the student arguing against the proposition. The two students are then responsible for energizing and responding to questions from the class.

3. There are two prohibitions about topics for the classroom debate.

a. The topic of the insanity defense is not acceptable.

b. An issue used for the Issue Paper (Appendix B) cannot be used by the same student as a topic for the classroom debate.

4. Beginning with Lesson 2, but not later than Lesson 5, students indicate their preferences for their debates. The instructor provides a form for this purpose. Students may use the topic suggested for the Lesson/date selected or they may propose their own relevant topic. If the latter, however, the topic must be approved by the instructor. A “first-come, first served” rule is in effect.

Appendix D: The Class Participation Requirement

Class Participation is expected of all students. Cadets are required to participate fully in the course.

“Participation” in this Forensic Psychology course has two major dimensions.

First, participation means that you are prepared for class; it is impossible to participate meaningfully if the assignments have not been completed. This goes beyond merely completing the assigned readings. It includes, for example, a practice-rehearsal of the debate to insure professionalism.

Second, “participation” involves that which goes on in the classroom, but it goes far beyond just talking. Participation includes enthusiasm, a willingness to share ideas and experiences with other cadets and the faculty member, the ability to integrate the assigned readings and to consider their meaning from personal experiences, and thought processes which permit the translation of that which occurs in the “real world” outside the classroom into the classroom dialogue. It means being a colleague in the learning experience.

There also will be a series of unannounced quizzes during the course of the semester. The quizzes will be based upon the assigned reading for that day’s class. The questions will be designed to test your knowledge of the assigned readings.

Collectively, class participation and quizzes are valued at 100 of the 1000 points that comprise the final grade.

Appendix E: Lesson Outlines

Lesson 1 Introduction to the Course

I. Reading assignment:

Course Guide

II. Introduction: This Lesson is designed to provide you with essential information for success in this course. We discuss the course goals and the course requirements, the grading system, and some basic assumptions about learning.

III. Lesson Objectives: Insure that each student has the essential information for success in Forensic Psychology to include understanding

- course goals
- course requirements
- methods of evaluation

Lessons 2 and 3 Psychology and the Law

I. Reading Assignment:

Chapter 1, Psychology and the Legal System (PLS)

II. Lesson Objectives:

- a. Differentiate the anthropological, sociological, philosophical, and psychological approaches to the study of the law.
- b. Describe the types of tasks that a forensic psychologist might accomplish.
- c. Summarize the four dilemmas in the psychological study of the law.
- d. Differentiate between the crime control model and the due process model.
- e. Contrast psychology and the law regarding the basis they use for forming opinions.

III. Orienting/Discussion Questions (see pages 26-27, PLS):

- a. Why do we have laws?
- b. What are some of the ways of studying the law?
- c. What dilemmas are reflected in the psychological approach to the law?
- d. How do recent laws reflect the contrasts between the due process model and the crime control model of the criminal justice system?
- e. How does the phenomenon of sentencing disparity reflect a dilemma?

IV. Key Terms:

amicus curiae

case law

crime control model

critical legal studies

determinate sentencing

dialectic analysis

discretion

double jeopardy

due process model

equality

ex post facto

feminist jurisprudence

forensic psychologist

jury nullification

law and economics

notification law

principle of proportionality

sentencing disparity

settlement negotiation

sexual predator laws

sociolegal studies

stare decisis

therapeutic jurisprudence

“three strikes” law

trial consultants

Lessons 4 and 5 Psychologists and the Legal System

I. Reading Assignment:

Chapter 2, PLS

II. Lesson Objectives:

- a. Describe the four roles that psychologists may play in the legal system.
- b. Identify some of the issues on which psychologists have testified in court.
- c. Describe the Daubert decision and the four factors that should be considered in assessing the validity and subsequent admissibility of an expert's testimony.
- d. Contrast the Kumho Tire Co. v. Carmichael decision with the Daubert decision.
- e. Summarize the significance of the Tarasoff case.

III. Orienting/Discussion Questions (see p. 48, PLS):

- a. What are four roles psychologists may play in the legal system?
- b. What are the motivations of basic researchers; how are their findings relevant?
- c. What is the relationship of the psychologist as applied scientist to the legal system?
- d. How does being an expert witness reflect the consultant role?
- e. What does a policy evaluator do?
- f. Why is the role of advocate the most controversial?

IV. Key Terms:

advocate	hypothesis
applied scientist	operational definition
basic scientist	policy evaluator
confounding variables	quasi-experiment
correlation	replication
empowering	sampling
experiment	scientific method
hate crimes	theory

Lessons 6 and 7 Legality, Morality, and Justice

I. Reading assignment:

Chapter 3, PLS

II. Lesson Objectives

- a. Describe the facts, charges, verdict, and relevance of the Zygmanik case.
- b. Contrast the psychological and legal definitions of “intention.”
- c. Using attribution theory, contrast how people determine the causes of their behavior and the behavior of others.
- d. Differentiate Kohlberg’s and Gilligan’s stages of moral development.
- e. Describe how “commonsense justice” typically differs from the law?

III. Orienting/Discussion Questions (see p. 72, PLS):

- a. Is what society considers moral always the same as what it considers legal?
- b. What are some theories that explain differing standards for what is right and wrong?
- c. How does Kohlberg’s theory of moral judgment differ from Gilligan’s?
- d. What is the relationship of justice to equity and equality?
- e. What is commonsense justice?
- f. How does the “just world” develop an explanation for events?

IV. Key Terms:

agency	good Samaritan laws
attribution theory	impossible acts
belief in a just world	intention
commonsense justice	justice
communion	<i>mens rea</i>
duty to assist laws	mercy killing
equality	moral dilemmas
equity	procedural justice
euthanasia	

Lessons 8 and 9 The Legal System and its Players

I Reading Assignment:

Chapter 4, Psychology and the Legal System

II. Lesson Objectives:

- a. Contrast the inquisitorial and adversarial approaches to trials.
- b. Describe the Federal and state court systems.
- c. Compare the public's attitudes toward juvenile offenders in the early 20th Century and now – the early 21st Century.
- d. Summarize alternative dispute resolution.
- e. Illustrate some of the ethical dilemmas faced by lawyers.

III. Orienting/Discussion Questions (see pp. 102-03 PLS):

- a. What is the difference between the adversarial and inquisitorial models of trials?
- b. What is a federal court? What is a state court?
- c. How are judges selected?
- d. What are juvenile courts? How are juvenile courts changing?
- e. What is alternative dispute resolution (ADR)? What are the types of ADR?
- f. What are the ethical standards applied to lawyers?
- g. What are some common criticisms of lawyers?

IV. Key Terms:

adversarial system
alternate dispute resolution
arbitration
contingency fee
inquisitorial approach
juvenile court

mediation
Model Rules of Professional Conduct
retention election
summary jury trial
writ of certiorari

Lessons 10 and 11 Theories of Crime

I. Reading assignment:

Chapter 5, Psychology and the Legal System

II. Lesson Objectives:

- a. Identify some of the “solutions” the United States has used to solve its crime problem.
- b. Describe two sociological theories of crime and their limitations.
- c. Describe two biological theories of crime and their limitations.
- d. Describe two psychological theories of crime and their limitations.
- e. Describe two social-psychological theories of crime and their limitations.

III. Orienting-Discussion Questions (see p. 136, PLS):

- a. What are the four categories into which theories of crime may be grouped?
- b. Among sociological explanations of crime, how does the subcultural explanation differ from the structural explanation?
- c. What is emphasized in the biological theories of crime?
- d. What are the psychological factors explaining crime?
- e. What is central to the social-psychological theories of crime?

IV. Key Terms:

adoption study	monozygotic twins
anomie	neuroticism
antisocial personality disorder	operant learning
atavism	positivist school of criminology
biological theories of crime	primary deviance
classical conditioning	psychological theories of crime
classical school of criminology	psychopathy
concordance rate	psychoticism
conditioned stimulus	racial profiling
containment theory	rational choice theory
control theory	rational crime theory
criminology	reaction formation
differential association reinforcement	reality principle
dizygotic twins	secondary deviance
ecological theorists	social process theories
ectomorph	social-psychological theories of crime
endomorph	sociological theories of crime
executive function	somatotypes
extroversion	stimulation-seeking theory
focal concerns	structural explanations
genealogy	subcultural explanations
learning theory	unconditioned stimulus
mesomorph	vicarious learning

Lesson 12 Midterm Examination 1

Midterm Examination 1 is valued at 10 percent of your final course grade. The assignments for Lessons 1 through 11 are the subject of this Midterm Examination.

Lesson 13 Field Trip: Law Enforcement

Lessons 14 and 15 The Police and the Criminal Justice System

I. Reading assignment:

Chapter 6, Psychology and the Legal System

II. Lesson Objectives:

- a. Summarize the tools typically used to evaluate police candidates.
- b. Analyze the psychological characteristics that most people want in a police officer.
- c. Differentiate the three major duties of police officers.
- d. Explain the three categories of stress most commonly encountered by the police.
- e. Describe two clusters of personality traits of police officers.

III. Orienting/Discussion Questions (see pp.166-67, PLS):

- a. What is the role of the police in our society?
- b. What procedures are used to select police?
- c. How has the training of police expanded into new areas?
- d. Describe the different activities of the police: is law enforcement central?
- e. What stressors are faced by the police?
- f. Is there a police personality?
- g. What is the relationship between the police and the communities they serve?

IV. Key Terms:

authoritarianism	structured interviews
burnout	suicide by cop
community-based policing	team policing
jail diversion program	terrorism
learned helplessness	validity scales
Stockholm syndrome	zero tolerance

V. Possible Debate Topics:

- a. Police officers should be college graduates.
- b. Police agencies should adopt the philosophy of “community-based policing.”

Lessons 16 and 17 Crime Investigation: Witnesses

I. Reading assignment:

Chapter 7, Psychology and the Legal System

II. Lesson Objectives:

- a. Describe some of the ways that the procedures in crime detection and investigation can lead to mistakes by eyewitnesses making identifications.
- b. Summarize the procedures recommended by the U. S. Department of Justice for conducting lineups and photo spreads.
- c. Compare the four different positions that states have taken with regard to the admissibility of hypnotically-refreshed memory.
- d. Explain why judges are reluctant to allow psychologists to testify regarding the accuracy of eyewitnesses?
- e. Summarize the reliability of children's eyewitness accounts as compared to adults.

III. Orienting/Discussion Questions (see pp. 203-04, PLS):

- a. What psychological factors contribute to the risk of mistaken identification in the legal system?
- b. How do courts regard the use of hypnotically refreshed memory? What procedures should be used when using hypnosis in a forensic setting?
- c. How do jurors evaluate the testimony of eyewitnesses? Can psychologists help jurors understand the potential problems of eyewitness testimony?
- d. Can children accurately report on their experiences of victimization? What factors affect the accuracy of their reports?
- e. What courtroom modifications are used in cases in which children must testify? What effects do these modifications have on jurors?
- f. Can memories for trauma be repressed and, if so, can these memories be recovered accurately?

IV. Key Terms:

absolute judgment
age regression
autobiographical memory
cognitive interview
confabulation
content analysis
delayed reporting statutes
dissociation
encoding
guided imagery
hearsay testimony
hyperamnesia
interviewer bias
memory hardening

relative judgment
repression
retrieval
sequential presentation
social influence
source confusion
storage
suggestive questioning
suppression hearing
television technique of retrieval
unconscious transfer
weapon focus effect
Yerkes-Dodson law

V. Possible Debate Topics:

- a. The results of hypnosis should be allowed in the courtroom.
- b. Children should be allowed to testify in court.

Lessons 18 and 19 Identification and Evaluation of Criminal Suspects

I. Reading assignment:

Chapter 8, Psychology and the Legal System

II. Lesson Objectives:

- a. Describe criminal profiling and the six stages in the profiling process.
- b. Summarize the fundamental rationale behind the use of the polygraph.
- c. Explain why, for what reasons, and under what conditions, people confess to crimes they did not commit.
- d. Summarize an historical view of the issue of confessions and coercion.
- e. Define entrapment.

III. Orienting/Discussion Questions (see pp. 234 - 35, PLS):

- a. What are some psychological investigative techniques used by the police?
- b. What is criminal profiling?
- c. Is the polygraph a valid instrument for lie detection?
- d. When is the best time to use a polygraph?
- e. Why is the “voluntariness” of a confession important?
- f. What are the main legal definitions of entrapment?

IV. Key Terms:

analog studies	ground truth
base rate	guilty knowledge test
cognitive psychophysiology	harmless error
control question test	mass murderer
criminal profiling	polygraph
directed lie test	positive coercion bias
discounting principle	psychological stress evaluator
entrapment	relevant/irrelevant procedure
event-related brain potentials	serial killer
field studies	spree killer
fundamental attribution error	stipulate

V. Possible Debate Topics:

- a. The results of polygraph examinations should be admissible as evidence.
- b. Racial and ethnic profiling are appropriate techniques to be used in the war against terrorism.

Lesson 20**Midterm Examination 2**

Midterm Examination 2 is valued at 10 percent of your final course grade. The assignments for Lessons 14 through 19 are the subject of this Midterm Examination.

Lesson 21

Field Trip: the Courts

Lessons 22 and 23 **The Rights of Victims and the Rights of the Accused**

I. Reading assignment:

Chapter 9, Psychology and the Legal System

II. Lesson Objectives:

- a. Contrast the Supreme Court cases regarding defendant's rights that were decided in the 1960s to those of the Supreme Court under Chief Justices Burger and Rehnquist.
- b. Define the exclusionary rule.
- c. Contrast the rights of juvenile offenders with those of adult offenders.
- d. Summarize four recent initiatives concerning the rights of victims in the criminal justice system.
- e. Compare the advantages of both the prosecution and the defense in the criminal justice process.

III. Orienting/Discussion Questions (see pp 258 - 59, PLS):

- a. During the 1960s, several Supreme Court decisions established important rights for criminal suspects. What were the principles in these decisions?
- b. A number of Supreme Court decisions since the 1960s have strengthened the powers of law enforcement officials. What were the principles in these decisions?
- c. What is the status of the Fourth Amendment today?
- d. Does the criminal justice system treat the victims of crime fairly? What can be done to improve crime victims' beliefs that the justice system works for them as well as for criminal defendants?
- e. What advantages do the prosecution and defense each have in a criminal trial?

IV. Key Terms:

collateral attacks
exclusionary rule
habeas corpus
hindsight bias
probable cause

reasonable suspicion
restitution
restorative justice
stare decisis
victim impact evidence

V. Possible Debate Topics:

- a. The Supreme Court should continue to strengthen the powers of law enforcement officials.
- b. Juvenile and adult offenders should be treated alike.

Lessons 24 and 25 Between Arrest and Trial

I. Reading assignment:

Chapter 10, Psychology and the Legal System

II. Lesson Objectives:

- a. Describe the following pretrial procedures: Initial Appearance, Preliminary Hearing, Grand Jury, Arraignment, and Discovery.
- b. Summarize the most common pretrial motions.
- c. Contrast the motivations for plea bargaining of the prosecution and the defense.
- d. Describe five possible remedies and their effectiveness to the effects of pretrial publicity.

III. Orienting/Discussion Questions (see p. 289, PLS):

- a. What are the major legal proceedings between arrest and trial in the criminal justice system?
- b. What is bail and what factors influence in the amount of bail set?
- c. What is the role of the grand jury?
- d. Why do defendants and prosecutors agree to plea bargain?
- e. Does pretrial publicity pose a danger to fair trials? If so, can these dangers be reduced?

IV. Key Terms:

affidavit	grand jury
change of venue	hearsay
deferred prosecution	indictment
discovery	information
emotional pretrial publicity	motion in limine
exculpatory	plea bargaining
factual pretrial publicity	released on recognizance
gag order	with prejudice
general pretrial publicity	

V. Possible Debate Topic:

- a. Limits on pretrial publicity violate the principle of the “public’s right to know.”

Lessons 26 and 27 Forensic Assessment in Criminal Cases

I. Reading assignment:

Chapter 11, Psychology and the Legal System

II. Lesson Objectives:

- a. Summarize what the law means by “competence.”
- b. Describe four areas of competency other than “competence to stand trial” that psychologists are asked to evaluate.
- c. Describe four beliefs and their accuracy about the insanity defense that appear to be prevalent among the public.
- d. Describe some of the concerns and their legitimacy about the use of the insanity plea.
- e. Summarize the proposed reforms of the insanity defense.

III. Orienting/Discussion Questions (see pp. 330-31, PLS):

- a. What is the scope of forensic psychology?
- b. What is meant by competence in the criminal justice process?
- c. How do clinicians assess competence?
- d. What are the consequences of being found incompetent to proceed in the criminal justice process?
- e. What is the legal definition of insanity?
- f. How frequently is the insanity defense used and how successful is it?
- g. What are the major criticisms of the insanity defense and what reforms have been attempted?

IV. Key Terms:

adjudicative competence
affirmative defense
Brawner rule
competence
competence to plead guilty
competence to stand trial
diminished capacity

insanity
mens rea
nolo contendere
parens patriae
product rule
stipulate
ultimate opinion testimony

V. Possible Debate Topic:

- a. Mental illness is an acceptable defense in criminal trials.

Lessons 28 and 29 The Trial Process

I. Reading assignment:

Chapter 13, Psychology and the Legal System

II. Lesson Objectives:

- a. Contrast Miller and Boster's three images of the trial.
- b. Describe the steps involved in the trial process.
- c. Describe the appellate process.
- d. Summarize the discrepancies between judges and juries with regard to verdicts.
- e. Illustrate the phenomenon of jury nullification.

III. Orienting/Discussion Questions (see pp. 381 - 82, PLS):

- a. What is the purpose of a trial?
- b. What are the steps the legal system follows in bringing a case to trial?
- c. What is the order of procedures in the trial itself?
- d. Do juries' verdicts differ from those of judges?
- e. What is jury nullification?
- f. How has race played an issue in the debate over jury nullification?

IV. Key Terms:

bench trial	opening statements
beyond a reasonable doubt	perjury
closing argument	preponderance of the evidence
decision rule	rebuttal evidence
depositions	recross
discovery	redirect questioning
impeach	<i>venire</i>
jury nullification	<i>voir dire</i>
jury sentiments	written interrogatories

V. Possible Debate Topic:

- a. The number of appeals in criminal cases should be limited by law.

Lessons 30 and 31 Jury Trials: Representativeness and Selection

I. Reading assignment:

Chapter 14, Psychology and the Legal System

II. Lesson Objectives:

- a. Explain why jury pools should be representative cross sections of the community.
- b. Contrast the kinds of questions typically asked during voir dire with the kinds of questions psychologists recommend asking during voir dire.
- c. Discuss how the phenomenon of “implicit personality theories” may affect voir dire.
- d. Discuss how jurors’ demographic and personality characteristics are related to their verdicts.
- e. Describe some of the reforms that have been suggested to address legal and ethical objections to the practice of scientific jury selection.

III. Orienting/Discussion Questions (see pp. 406-07, PLS):

- a. What does the legal system seek in trial juries?
- b. What stands in the way of jury representativeness?
- c. What procedures are used in voir dire?
- d. What personality characteristics of jurors, if any, are related to their verdicts?
- e. Are lawyers and psychologists effective in jury selection?

IV. Key Terms:

black sheep effect	one day/one trial systems
challenges for cause	peremptory challenges
cognizable groups	similarity-likeness hypothesis
implicit personality theories	<i>venire</i>
internal/external locus of control	voir dire

V. Possible Debate Topic:

- a. The use of professional psychologists in jury selection should be allowed.

Lessons 32 and 33 Jury Trials: Concerns and Reforms

I. Reading assignment:

Chapter 15, Psychology and the Legal System

II. Lesson Objectives:

- a. Describe extralegal information.
- b. Discuss how opening statements affect jurors.
- c. Summarize the theoretical explanations for why jurors disregard the judicial admonition pertaining to inadmissible evidence.
- d. Discuss the challenges to the expectation that prospective jurors with preconceptions that would affect their verdicts will be dismissed.
- e. Summarize proposed reforms of the jury system.

III. Orienting/Discussion Questions (see pp. 440 – 41, PLS):

- a. Describe the concern related to the competence of jurors and juries.
- b. What is the impact of the opening statement on jurors?
- c. What is the impact of extralegal information on jurors?
- d. Can jurors disregard inadmissible evidence?
- e. How can jurors be helped to understand their instructions?
- f. What is meant by the statement that “bias is inevitable in jurors”?
- g. What reforms of the jury system do psychologists suggest?

IV. Key Terms:

belief perseverance	limiting instruction
class action cases	outcome severity
comparative negligence	primacy hypothesis
damages	propensity evidence
defensive attribution	psycholinguistics
extralegal information	reactance theory
field experiment	recall readiness hypothesis
inadmissible evidence	schema
joinder	story model
juror bias	sympathy hypothesis
liable	thought suppression

V. Possible Debate Topic:

- a. The criminal trial jury system needs to be reformed.

Lesson 34 Midterm Examination 3

Midterm Examination 3 is valued at 10 percent of your final course grade. The assignments for Lessons 22 through 33 are the subject of this Midterm Examination.

Lesson 35 Field Trip: Corrections

Lessons 36 and 37 Psychology of Victims

I. Reading assignment:

Chapter 16, Psychology and the Legal System

II. Lesson Objectives:

- a. Contrast the “reasonable woman” and “reasonable person” perspectives of sexual harassment.
- b. Describe the elements of the battered woman syndrome.
- c. Describe the risk factors for child abuse.
- d. Discuss the typologies that distinguish different types of rapists.
- e. Summarize posttraumatic stress disorder and its symptoms.

III. Orienting/Discussion Questions (see pp. 472-73, PLS):

- a. What is the frequency of victimization?
- b. What are the two types of sexual harassment recognized by the courts?
- c. What are the components of the battered spouse (woman) syndrome?
- d. What types of research have psychologists conducted on crime victimization?
- e. What factors predict the development of PTSD following a crime victimization?
- f. How have the laws about rape changed?

IV. Key Terms:

abuse excuse	rape shield laws
attribution theory	rape trauma syndrome
battered woman syndrome	self-defense
borderline personality disorder	spousal rape
posttraumatic stress disorder	victimology

V. Possible Debate Topic:

- a. Date rape and stranger-to-stranger rape should be treated similarly.
- b. The Supreme Court should terminate rape shield law protections.

Lessons 38 and 39 Punishment and Sentencing

I. Reading assignment:

Chapter 17, Psychology and the Legal System

II. Lesson Objectives:

- a. Summarize the goals of punishment of criminals.
- b. Contrast the relevant and irrelevant determinants of sentencing.
- c. Describe the possible sources of bias in judges.
- d. Contrast the treatment of sex offenders and other types of offenders.
- e. Differentiate the advantages and disadvantages of judicial discretion in sentencing.
- f. Summarize the reasons why public support for the death penalty appears to be diminishing.

III. Orienting/Discussion Questions (p.507-08, PLS):

- a. What are the purposes of punishment?
- b. How are the values of discretion and fairness reflected in sentencing decisions?
- c. What factors influence sentencing decisions?
- d. What special factors are considered in the sentencing of offenders repeatedly convicted of sex crimes?
- e. How is the sentence of death decided by juries?
- f. What legal rights do prisoners have?

IV. Key Terms:

aggravating factors	intermediate sanctions
<i>amicus curiae</i>	mitigating factors
brutalization	paraphilia
chemical castration	restorative justice
death qualification	sentencing disparity
determinate sentencing	shaming penalty

V. Possible Debate Topics:

- a. The death penalty should be abolished.
- b. Judicial discretion in sentencing should be eliminated.

Lesson 40 Course Summary

This lesson synthesizes what we have learned about the interface of psychology and the criminal justice system. The synthesis includes a review of the theories that support the utilization of psychology in the criminal justice system and how these theories and psychological research are applied in law enforcement, the courts, and in the correctional system.