

CCJS 345: Courts and Sentencing

Mondays/Wednesdays 3:30-4:45 | HJP 2242

Professor: Robert Stewart, Ph.D. (robstew@umd.edu)

Teaching Assistant: Joshua Henriquez (jhenriq1@terpmail.umd.edu)

Office: 2165A LeFrak Hall

Office Hours: Wednesdays 10:00-11:00am or by appt.

Course Description:

This course is intended to provide students with an introduction to American criminal courts and sentencing, including how criminal courts operate, who the important actors are, and how theory and empirical research inform sentencing approaches. This course will use materials (readings, podcasts, videos, guest speakers, etc.) to address several of the most pressing issues facing criminal courts today, including recent sentencing innovations, judicial and prosecutorial discretion, gender and racial disparities in sentencing, mass punishment, and collateral consequences. Students will be expected to consider both theoretical perspectives and empirical research evidence regarding criminal courts as well as to think critically about how our current knowledge about criminal courts and sentencing can help inform the future development and amelioration of the US criminal court system.

Course Format:

Our regular meetings will include some lecture, class discussions, your questions, and activities. All course materials and assignments will be available on ELMS. There will be assigned materials to complete before some class meetings which will generally include reading and listening materials, lectures, and engagement activities.

Courses in Times of Precarity:

I understand that this course is being offered in a time of continued uncertainty, and I recognize that you (and I) may encounter unexpected challenges during this semester. That includes challenges related to health and illness, technology, caregiving responsibilities, work responsibilities, and more.

My goal this semester is to support you in doing the best work you can in light of the challenges you face. I understand that college students face tremendous pressure to work hard, get “good” grades, and be as “successful” as possible. That said, I encourage you to remember that your health and well-being are far more important than the work you do in this class or any class. And I encourage you to take the time you need to care for yourself and for your loved ones.

If you are finding it difficult to balance your health and well-being with your work in this class, please let me know. It is okay to ask for help and to acknowledge when you are

struggling, and I am happy to help connect you with resources and services on campus and also make accommodations to our course plan as needed. I am accessible by email, and I will do my best to respond to messages within one business day. I will also have virtual office hour appointments available for you to meet with me to discuss any questions or concerns or thoughts you have about the course or the material or sociology more generally.

I also ask that you be patient with me if the challenges of this semester force me to make last-minute changes to the course plan. I will do my best to communicate any changes clearly and make them with respect for the inconvenience, frustration, and confusion that change may cause.

Class Groups:

Many of the concepts and topics we will discuss this semester are best understood through discussion. To create opportunities for active discussion, we will form class groups. You will have the opportunity to work with your group to complete many of the assignments and activities for the course. Please let me know if at any point you would like to change your group.

Class Conduct:

Respect is of paramount importance. Respect for each other, respect for yourself, respect for me, and respect for the people whose lives are affected by the criminal justice system (from all sides of the law). The topics we discuss in CCJS classes can prove more controversial or contentious than subjects in other departments. Respect for the ideas, opinions, and experiences of others is our first priority.

Undoubtedly there will be students in this class who either have been victims of crime or who have a family member/friend who has been a victim of crime. There will also likely be students who have had personal experiences with the criminal justice system as well. If you would like to share your experiences, you are welcome to, but in no way should you EVER feel compelled or required to share your personal experiences relating to these issues if you are not comfortable doing so.

In this course, we will listen to podcasts, watch video clips from movies or TV shows, as well as watch the occasional full-length documentary. The goal is to provide tangible, real-world, or fictional portrayals of real-world examples of the concepts and ideas we will discuss in class. If you find any of the material offensive, or anything at all offensive that we do in class, please come and talk to me.

Grading and Self-Assessment:

Grading for this course will focus on your (1) participation, (2) reading quizzes, (3) major assignments, and (4) two quizzes, totalling a possible 300 points.

- Participation (45 total points): Includes engagement in class and various brief assignments that will be done either in your groups or individually.
- Reading check-ins (45 total points): We will have semi-frequent reading check-ins. They will be brief and focus on the reading assigned for that day. When we have them, they will be open from 8am to 3:35pm (five minutes after class starts).
- Major assignments (45 points each): There are two major assignments. The first is a group presentation on a specific Supreme Court case. More details will be provided in class. The second is a court observation paper which will require you to conduct a mini-ethnography of court hearings.
- Quizzes (60 points each): This course will include two quizzes during the semester: a midterm quiz and a final quiz. The quizzes are required and will evaluate your comprehension of the material up to that point. They will generally consist of multiple choice questions, short answer, and slightly longer answer questions.

As mentioned, however, this is a confusing and uncertain time for everyone, so your final grade will also be informed by your own self-assessments. You will be asked to complete two short self-reflection questionnaires. These questionnaires will include a series of questions about your work in the course. Specifically, you will be asked to:

- Talk about the work you have done in the course. E.g., How much effort did you commit to the reading and listening materials, the engagement activities, the comprehension checks, the class videos, and the class projects?
- Talk about your successes and struggles in the course. E.g., When did you feel most successful in the class? What challenges did you encounter with the concepts, the assignments, or the logistics of the course?
- Talk about opportunities for improvement. E.g., What steps could you take to deepen your understanding of course concepts or increase your engagement in the class?
- Propose the grade you feel you should receive in the course (up to that point), based on your: level of engagement; comprehension of the course material; quality of your daily reflective assignments; and quality of your final essay.
 - Briefly explain why you would give yourself that grade.

When assigning final grades, I will take into account your assessment of your own performance and progress in this course. Final grade distribution will be as follows:

A-	269-277
B+	260-268
B	248-259
B-	239-247
C+	230-238
C	218-229
C-	209-217
D+	200-208
D	188-199
D-	179-187

Weekly Materials:

Each class meeting module includes a mix of podcast episodes, videos, news articles, academic journal articles, and book chapters. There is no required book for this course. I have chosen these materials to illustrate key concepts that we will discuss in class. Some of these materials may also inform the engagement activities you will be asked to complete that week. Plan to complete the items listed for each class meeting module **before** class.

Other Policies:

Academic Dishonesty: Don't cheat. It's bad news for everyone. If you are having trouble – again, just communicate with me.

Incompletes: I can only give an incomplete if the majority of coursework has been completed, and you experience some kind of emergency. If this happens, contact me as soon as possible so we can come up with a plan.

Disability Support: I will make every effort to accommodate students who are registered with the Academic Support Services (ADS) Office and who provide me with a University of Maryland ADS Accommodation form. Just let me know.

Class Outline:

Below is a general outline of what we will be doing this semester. I note that this outline is certainly subject to change, and that additional details and assignments are listed on ELMS, so you should always reference ELMS modules.

DATE	TOPIC	MATERIAL
Wed 1/24	Introductions	None
Mon 1/29	What is crime?	Regina v. Dudley and Stephens
Wed 1/31	Overview of the criminal court system	Neubauer and Fradella, ch 1
Mon 2/5	Constitutional Rights	Constitution and Bill of Rights In the Dark, S02E01
Wed 2/7	Evidence: Witness testimony, forensics	Wixted et al., "Rethinking the Reliability of Eyewitness Memory" In the Dark, S02E02-03
Mon 2/12	Pretrial process	Neubauer and Fradella, ch 10
Wed 2/14	Pretrial detention and bail	Marshall Project, "This is Rikers" Page, "Desperation and Service" In the Dark, S02E04
Mon 2/19	Judges	Hemmens et al., ch 8 Serial S03E02
Wed 2/21	Judges, Secondary Confessions	Swanner and Beike, "Incentives Increase the Rate of False but not True Secondary Confessions." In the Dark, S02E05
Mon 2/26	Defense	McIntyre, "But How Can You Sleep Nights?" Documentary: Gideon's Army
Wed 2/28	Prosecution	Goodrum, "Expecting an Ally and Getting a Prosecutor" Spohn et al, "Prosecutorial Justifications" In the Dark, S02E08
Mon 3/4	Trial Process	Hemmens et al., ch 12
Wed 3/6	GUEST - Thomas Abt	More Perfect, "Object Anyway" In the Dark, S02E07
Mon 3/11	Class Presentations	Quiz 1
Wed 3/13	Class Presentations	Quiz 1
Mon 3/18	SPRING BREAK	
Wed 3/20	SPRING BREAK	
Mon 3/25	Juries	More Perfect, "Object Anyway" In the Dark, S02E07
Wed 3/27	Plea Bargains	Documentary: The Plea

Mon 4/1	Plea Bargains	Galanter, "Why the Haves Come Out Ahead"
Wed 4/3	Sentencing History	Gertner, "A Short History of American Sentencing"
Mon 4/8	Sentencing Philosophies	NEED SOMETHING
Wed 4/10	Sentencing Alternatives	Marble and Worrall, "Problem-Solving Courts Sherman and Strang, "Restorative Justice"
Mon 4/15	Appellate Review	Rabe et al., "Appeals of Sentences"
Wed 4/17	Appellate Review	Flowers v Mississippi In the Dark, S02E13
Mon 4/22	Disparities in the Court System	Clair and Winter, "How Judges Think about Racial Disparities" In the Dark, S02E14
Wed 4/24	Disparities in the Court System	Spohn, ch 4
Mon 4/29	Collateral Consequences	Lageson and Maruna, "Digital Degradation"
Wed 5/1	Collateral Consequences	Uggen and Stewart, "Piling On"
Mon 5/6	Court Reform and Alternatives	Uggen et al, "Why Not Minnesota" Nyseth Brehm, "Genocide, Justice, and Rwanda"
Wed 5/8	Court Reform and Alternatives	Clair and Woog, "Courts and the Abolition Movement" Quiz 2