

CCJS 345: Courts and Sentencing

Section 201 - Tuesdays/Thursdays 12:30-1:45 (TWS 1100)

Section 301 - Tuesdays/Thursdays 3:30-4:45 (TWS 1100)

Instructor:

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

Office Hours: By appointment

Teaching Assistant:

Olivia Amplo (oamplo@umd.edu)

Office Hours: By appointment

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 posted 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 the Time of COVID:

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.

Masks: As you are no doubt aware, everyone is required to properly wear a mask when indoors. If you forget, I’ll remind you (but don’t forget!)

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.

Early in the semester, I will send you a brief survey asking you to identify (1) any classmates with whom you **would or would not** like to work in a class group and (2) whether you would prefer not to be in a group. You will have the opportunity to work with your group to complete many of the assignments and activities for the course. If you choose not to be in a group, those assignments can also be completed individually.

Please let me know if at any point you would like to change class groups or opt out of your class group to complete all assignments individually.

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) major assignments, and (3) two quizzes.

- Participation (30% of your grade): Includes engagement in class as well as various brief assignments that will be done either in your groups or individually.
- Major assignments (30%): There are two major assignments. The first is a court observation paper which will require you to conduct a mini-ethnography of court hearings. The second is a group or individual presentation on a specific Supreme Court case. More details will be provided in class.
- Quizzes (40%): 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	93-100
A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D+	67-69
D	63-66
D-	60-62
F	<60

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 I will be discussing in the recorded videos. Some of these materials may also inform the engagement activities you will be asked to complete that week, and there will occasionally be comprehension assessments in class. Plan to complete the items within 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 with the uncertainty of COVID, and that additional details and assignments are listed on ELMS, so you should always reference ELMS modules. I am still waiting on confirming guest speakers, so there are a few TBD spots that will be filled once I get confirmations.

Date	Topic	Material	Date	Topic	Material
08/31	Oveview		09/02	Overview of the Court System	Neubauer and Fradella Chapter 1 "Overview of Maryland Courts" video
09/07	<i>In the Dark</i>	<i>In the Dark</i> S02E01, S02E02 "Stare Decisis" video	09/09	Why Punish?	Frase, <i>Just Sentencing</i> introduction
09/14	Judges	Hemmens et al. Chapter 8 Serial S03E02	09/16	Pretrial Detention	Neubauer and Fradella Chapter 10 Marshall Project , "This is Rikers" (at least 4 or 5)
09/21	Bail	Page, "Desperation and Service" ITD S02E03-05	09/23	Defense	McIntyre, "But How Can You Sleep Nights?" Swanner and Beike, "Incentives Increase the Rate of False but not True Secondary Confessions"
09/28	Defense	<i>Gideon's Army</i> ITD S02E06	09/30	Guest!	Goodrum, "Expecting an Ally but Getting a Prosecutor"
10/05	Prosecution	Spohn et al, "Prosecutorial Justifications for Sexual Assault Case Rejection" "Elements Purpose of the Criminal Trial" video Hemmens et al., Chapter 12	10/07	Trials and Juries	More Perfect, "Object Anyway" ITD S02E07-08

10/12	Plea Bargains	Galanter, "Why the haves come out ahead," pages 95-109 "The Plea"	10/14	Plea Bargains Quiz 1 open	Kohler-Hausmann, "Misdemeanor Justice," Serial, "Pleas Baby Pleas"
10/19	Sentencing Quiz 1 DUE!	Gerner, "A Short History of American Sentencing," ITD S02E09-10 (optional)	10/21	Sentencing Alternatives	ITD S02E11
10/26	Sentencing Alternatives	Marble and Worrall, "Problem-Solving courts" Sherman and Strang, <i>Restorative Justice: The Evidence</i> , Ch1-3, 6	10/28	Sentencing Alternatives	Will discuss in class
11/02	Appellate Review	Rabe et al, "Appeals" chapter Horowitz and Uggen, "Consistency and Compensation in Mercy"	11/04	Appellate Review	Will discuss in class
11/09	Disparities	TBD	11/11	Disparities	Clair and Winter, "How Judges Think about Racial Disparities"
11/16	<i>Graham v Connor</i> (?)	More Perfect, "Mr. Graham and the Reasonable Man" Obasogie and Newman, "The Futile Fourth Amendment"	11/18	ASC - No Class	TBD
11/23	Mass Incarceration and Collateral Consequences	Uggen and Stewart, "Piling On"	11/25	Thanksgiving - no class	
11/30	Mass Incarceration and Collateral Consequences	Lageson and Maruna on "Digital Degradation"	12/02	Court Reform and Alternatives	Uggen, et al., "Why Not Minnesota." Nyseth Brehm et al., "Genocide, Justice, and Rwanda's Gacaca Courts"
12/07	Abolish the Courts!	Clair and Woog, "Courts and the Abolition Movement"	12/09	Wrap up! Quiz 2 Opens	
12/14	No class		12/16	Quiz 2 DUE!	