

**CCJS 345
COURTS AND SENTENCING
Fall 2022**

Instructor:	Cortney Fisher, JD, PhD	Course Time:	Tu/Th 2:00 pm – 3:15 pm
Office:	2217 Lefrak Hall (CP) Bldg. III – 5101 (SG)	Course Location:	ESJ 1215
Zoom:	357 163 5269	Office hours:	SG: Mo: 12:30 p – 1:30 p CP: Tu/Th: 12:30 p – 1:30 p
Email:	cfisher3@umd.edu	Slack:	@cfisher3
TA:	Havana Mohr-Ramirez		

Communication in this course is to be conducted via Slack. Each student in the course will be invited into a Course Channel. Do not email me with questions, concerns, or comments. Slack me! I cannot promise that I will be responsive to email, but I will be responsive to Slack

Course Objective

This course is designed to provide an advanced overview of the criminal court system in the United States. The class will discuss the historical context of the American criminal court system, leading to the contemporary challenges and issues that are prevalent for system actors. Students will be able to identify the different phases of a criminal prosecution, as well as the relevant actors in a criminal court workgroup. Students will be able to identify where the court system works, where the court system fails, and what innovations in court processes are happening in contemporary criminal procedures. Students will be able to assess the intersections of race, gender, age, sexual orientation, and ethnicity on the way that the court system function.

Learning Outcomes

- (1) Discuss the historical context of the American criminal court system, leading to the contemporary challenges and issues that are prevalent for system actors;
- (2) Identify the different phases of a criminal prosecution, as well as the relevant actors in a criminal court workgroup;
- (3) Identify where the court system works, where the court system fails, and what innovations in court processes are happening in contemporary criminal procedures; and
- (4) Assess the way in which race, gender, age, sexual orientation, and ethnicity intersect with the functions of the court system.

Notice: This course is, by its definition, a course about crime and the people who commit crime. By the nature of this course, we are discussing trauma and traumatic events. It is impossible for me to identify when any particular topic is going to bring up difficult feelings and emotions for any one person in the class. However, I do expect that many people in the class have experienced trauma caused by criminal victimization and I anticipate that some of the material may be difficult.

Always take care of yourself first. If you need to stop reading a book or an article, put it aside until you feel that you are better able to focus on it and talk to me about it. If you need to talk more at length, I am always available during office hours but University policy requires that I report certain information if certain crimes have happened on campus. There are confidential resources for you to access:

UMD CARE Office
301.314.2222

UMD Counseling Center
301.314.7651

UMD Mental Health Service
301.314.8106

If you feel like you are going to hurt yourself or someone else, or if you feel like you are having a mental health emergency, call 911 or go to the nearest emergency room.

Masking Requirements

Students in this class are expected to comply with any University directive that is operational during the semester with regard to masking. If masks are deemed to be mandatory, appropriate masks must be worn at all times in the class over the nose and mouth.

There are no exceptions.

Students who are not in compliance with University directives regarding masking will be given a warning and asked to wear one, or will be asked to leave the classroom immediately. After the first documented warning, students will be referred to the Office of Student Conduct for failure to comply with a directive of a University official.

Required Texts

1. *Courts*
Cassia Spohn
ISBN: 9781544307947
2. *Just Mercy: Story of Justice and Redemption*
Bryan Stevenson
ISBN: 9780812984965

Additional materials for the course are uploaded into the ELMS course. You will be responsible for knowing information about the US Supreme Court that is not in the books, e.g. how many justices are on the Supreme Court, how many justices on the Supreme Court are currently women, who was the first African-American justice on the Supreme Court (HINT: the person has heavy ties to UMD!), etc. Make sure you know this information.

Course Requirements

Students in CCJS 345 will receive 4 grades in this course.

- 20% - Quiz grade
- 30% - Reflection Assignment **OR** Mid-Term Exam
- 30% - Final Exam
- 20% - Engagement Grade

This is the formula that you need to use to calculate your grade. Do NOT use ELMS-CANVAS to calculate your grade. Plug your grades into the formula below.

Quizzes 100 points x 2 = 200 points

~10 points per quiz x ~10 quizzes = ~100 points

(To calculate your quiz grade, add all your quizzes together. Once you've added all your quizzes together, multiply that number by 2. If you have more than 10 quizzes and/or more than 10 questions per quiz, it is possible that the number you are multiplying by 2 is more than 100. That

is ok! You can earn over 100 points on your quizzes if you are offered and take all quizzes available to you and/or you earn more than 10 points per quiz.)

There will be at least 10 quizzes throughout the semester. Each quiz is worth ~10 points. Each quiz will be taken on ELMS Canvas and will be announced on ELMS-Canvas. Students will have until 11:59 pm on the date that the quiz is due to complete the quiz. Quizzes are open note and open book and will be heavily based on the material in the books. It is highly recommended that you read all material and attend class to do well on the quizzes.

There are no excuses for missed quizzes. Students who miss a quiz can take the quiz for 50% credit for 48 hours after the quiz closes.

Your first quiz is a quiz that tests your knowledge on the contents the syllabus. This syllabus is a contract between each of you and me. Completing the quiz posted on ELMS certifies to me that you have read and understand the requirements of this course. Please do not take quiz until you are able to certify that this is true. You will be held to the requirements of this course.

Students are responsible for all material posted on ELMS – Canvas and all notices posted on Slack. Taking the quiz certifies that you have read the full syllabus and are certifying that you will be responsible for all material posted on ELMS – Canvas and on Slack.

The first quiz is due to be completed on ELMS on September 13 at 11:59 pm. Students who miss this quiz can take the quiz for 50% credit for 48 hours after the quiz closes.

No later than September 12, students should take the quiz/survey Assessment Option which is in the Course Introduction and Syllabus Module of ELMS. Students do NOT need to take the mid-term AND complete two reflection assignments. Students may choose the assessment that best suits them. However, once the assessment is chosen, students may not change their method of assessment.

Reflection Assignments 100 points x 3 = 300 points

50 points per assignment x 2 assignments = 100 points

(To calculate your reflection assignment grade, add all your assignments together. Once you've added all your assignments together, multiply that number by 2.)

Students may choose to complete two reflection assignments during the course of the semester, in lieu of taking a mid-term exam. Each reflection assignment is worth a total of 50 points. ***Each reflection assignment will be completed on ELMS by typing the text directly into the Assignment tool. Assignments that are not submitted in this manner will receive a 0 on the assignment.***

Each module during the course will have at least one reflection assignment. A reflection assignment is a response to a prompt from the Professor. Sometimes the prompt will be a media clip. Sometimes the prompt will be an article from the news, or a required article from your book. I may use Panopto to create a recording outlining the prompt and the question. Regardless of the method by which the assignment is delivered, all materials for the reflection assignment will be located in the module of the course to which the material pertains. **Students are asked to write a 2-3 page essay on their reflection of the prompt by typing their response directly into the Assignment tool on ELMS – Canvas. Students may not upload a .doc or .pdf into the tool so that it circumvents the Turnitin tool.**

Reflections must demonstrate that the student has read the article, is using classroom material, and has considered the prompt in light of the classroom material. What do you, as the student, believe about the prompt given your understanding of the material and your life experiences? While this is your reflection of the prompt, the prompt must be based on facts. It is not your opinion, necessarily, but your reasoned reflection and conclusion based on the facts and material that we learned in class.

Grading Rubric for Reflection Assignments:

Reflection Assignments will be graded according to the following rubric:

- 20% (10 pts) - Answer demonstrates an understanding of the material
- 20% (10 pts) - Answer is based on facts, research, and class material
- 15% (7.5 pts) - Answer demonstrates adequate development of each point used in the answer
- 15% (7.5 pts) - Answer demonstrates responsiveness to the question(s)
- 15% (7.5 pts) - Answer demonstrates advanced writing skills: grammar, spelling, and organization
- 15% (7.5 pts) - Assignment is appropriately cited

For students who choose to complete the Reflection Assignments, one assignment must be completed before the Mid-Term Exam and one assignment need to be completed after the Mid-Term Exam.

Assignments for any one module are due before the start of the next module, as written on the Course Schedule. Students who miss a deadline for a Reflection Assignment may complete the assignment for 50% credit up to 48 hours after the Reflection Assignment is due.

Mid-Term Exam 100 points x 3 = 300 points

(To calculate your mid-term exam grade, multiply the score you earned on the mid-term by 2. Once you have that number, multiply that number by 3.)

Students may choose to take the mid-term exam in lieu of completing two Reflection Assignments. The Mid-Term Exam is scheduled for **Thursday, October 20**. **No exams may be rescheduled for any reason unless there is a University-approved absence as described below. Students who fail to take the exam by the time that the exam closes will receive a 0 on the exam.**

If you have an excused absence: I will excuse absences for medical necessity, family emergencies, religious observances, interviews with proper documentation, university-sanctioned events, or court appearances. All excused absences must have a note from the appropriate authority, e.g. doctor, court, university official, interviewer. If your absence is excused, you will have the opportunity to make-up the exam **within one week of the absence. There will be no exams made up by the student after one week.** It is **solely the student's responsibility to learn whether an exam was given on the day the student was absent and to arrange with professor to complete the exam.**

Final Exam 100 points x 3 = 300 points

Every student is required to take the final exam. The final exam will be scheduled at the time proscribed by the University. I do not allow any final exam to be rescheduled except for medical necessity (documentation is required), religious observances, university-sanctioned events, or court appearance. **No exams may be rescheduled for any reason unless there is a reason described above. Students who fail to take the exam by the time that the exam closes will receive a 0 on the exam.**

Engagement 100 points x 2 = 200 points

Engagement in the course is worth 20% of your grade, and refers to your relationship as a student to the course. An engaged student is one who is fully absorbed by and enthusiastic about the course and so takes positive and consistent action to further their understanding of the material.

Engagement may be reflected by consistent (and meaningful) participation in class, completion of optional assignments, ongoing discussion with me as to the content of the course, consistent, on-time completion of the out-of-class assignments, and other proactive engagement. Attendance may be a factor that goes into a student's overall Engagement grade, but it is not going to be dispositive of the student's Engagement grade. In other words, students will not earn a 100 for an Engagement grade just because they come to class every class period. Alternatively, students will not earn a 0 for their Engagement grade simply because they have missed several classes. However, it is VERY difficult to engage in a course if you are not present in class and/or if you attend class but are disengaged when present.

The grade given for engagement is at the discretion of the Instructor. Points in this category may be earned or may be lost. You may lose points for engagement if you are actively disengaged during the class period, e.g. texting, chatting online, chatting with other classmates, etc., or if you have a pattern of not attending class and engaging otherwise. Because these classes are large, it is up to YOU to ensure that the Instructor and the TA know who you are and are noting your engagement. **We HIGHLY RECOMMEND bringing a name tag to class and using it throughout every class period and stating your name clearly when you are asking or answering a question.**

Engagement Grading Scheme: Each student begins the class with between a 70-75 in the Engagement Grade. Whether the grade is a 70, 72, or 75 depends on the overall participation of the class at large. If the class (as a whole) is very participatory, the class, as a whole, will receive a 75 as a baseline for Engagement. If the class (as a whole) is not very participatory or engaged, the class as a whole will receive a 70 as a baseline for Engagement.

From that number, you can increase your Engagement grade by answering questions in class, asking questions in class, participating in the class poll and surveys, reading and taking note of victim-related issues in the news and bringing them to me (or the class), or being present ***and engaged*** in class on a consistent and regular basis. This is not an exclusive list, but it is a list that can guide you in increasing your Engagement grade.

From the baseline Engagement grade, you can decrease your Engagement grade by routinely not attending class (and not engaging otherwise), being disrespectful to the class (and me) when in class, texting, snapchatting, looking at your phone or computer for reasons not associated with class, or being offensive in your comments. This is also not an exclusive list, but it is a list that can warn you about what behavior is not acceptable in my class.

NOTE: Attendance in this class is not mandatory. I do not need to see an excuse when you're absent, nor do you need to tell me if you're not going to be in class. However, at random times throughout the semester, the TA will take attendance. This attendance does not "give you" points, nor does the attendance "take points away." Attendance is meant as an objective gauge of who is attending (and therefore more engaged in) the class. If you miss a day of class when attendance is taken, you do not need to show me an excuse; **it will not change your status as absent.** The purpose of taking attendance is not to count days of you showing up – it is to give me one of many gauges of engagement. Simply be mindful to attend class on a more regular basis and/or engage outside of class. If you actively participate in class, we likely won't even look at your attendance when determining the Engagement grade.

50-55: Your experience with this course was very poor. Your classroom behavior was rude and disruptive, OR you never (or very rarely) attended class, and you never attended any optional events or completed optional assignments. You submitted late assignments or missed assignments.

60-65: You did something to indicate to me that you were not engaged in the course. Your classroom behavior may have been poor or disruptive, your attendance may be poor, you may have missed a lot of quizzes, and/or you made no effort to make up work through extra credit.

70-75: This is the baseline grade at which each student begins the course. If you do nothing more and nothing less, this will be your grade at the end of the course.

80-85: You distinguished yourself somehow. I received some Engagement from you. Your attendance was acceptable when taken in class.

90-95: Your Engagement was good. You made sure that I knew that you were engaged with the material, either through spoken, in-class engagement, email engagement, or after-class/before-class conversations.

100: Your Engagement was exceptional.

Total points 1000 points

Extra Credit Points to be added to the END of your point total, as calculated above

At times during the course of the semester, extra credit opportunities may be offered to students. These will depend on events that are occurring on or near campus. Students are able to earn up to fifty (50) points in extra credit during the course of the semester. Extra credit can be ad hoc events, as offered during the semester, or reflection papers, as described below.

Total points 1000 points

A+ = 975-1000	B+ = 865-894	C+ = 765-794	D+ = 665-694	F = below 595
A = 935-974	B = 825-864	C = 725- 764	D = 625-664	
A- = 895-934	B- = 795-824	C- = 695-724	D- = 595-624	

University Policies

All University policies apply to this course. <http://www.ugst.umd.edu/courserelatedpolicies.html>

Classroom Behavior

Class discussion, questions, expression of viewpoints, concerns, and opinions are encouraged. This classroom and my style are very informal. However, I require that all students speak in a non-offensive manner to other students, to the TA (if there is one), and to me. Using language that is offensive, being disruptive or disrespectful, or failing to treat other students and me with respect will result in a reduction of the Engagement grade.

When you are in class, the expectation is that you are present in the class and not on your phone or having a side conversation with another student. Class runs from 2:00 pm to 3:15 pm and you are required to be present for the entirety of the class. If you arrive late, are disruptive, are disrespectful, or leave early, you may lose any attendance for that day. If the behavior is chronic, it will impact your Engagement grade. You should not be talking to or engaging with anyone else except me and the other students in class about the material that we are discussing during the entirety of the class. You should raise your hand if you wish to participate. Failure to

acknowledge these parameters will result in a reduction of your Engagement grade and may result in a referral to the Office of Student Conduct.

Diversity, Equity, Inclusion, and Belonging. This course is designed to explicitly address the issue of identity and how different identities interact with the criminal justice system. We will discuss internal and external biases, hate speech and behavior, and bias-motivated incidents. It is the philosophy of the University of Maryland, the Department of Criminology and Criminal Justice, and me that all students at the University feel that their identity as a person is included in our conversation and that they feel a sense of belonging in this classroom. Disrespectful comments and conversation will not be tolerated. Expressing viewpoints as fact that are cultivated from disreputable news sources will not be tolerated. Students who wish to participate in class may do so only if they are willing to engage in a respectful and open discussion of ideas that are based on facts, evidence, and science.

- We **will** acknowledge that we all hold implicit biases that are shaped by our families, cultures, and communities.
- We **will** acknowledge that our implicit biases have an impact on how we interact with people and how we will do our jobs as criminal justice professionals.
- We **will** acknowledge that racism, ethno-centrism, xenophobia, homophobia, transphobia, and sexism exist in our culture and influence the ways in which the criminal justice system is structured and operates.
- We **will** acknowledge that the biases and structural “isms” of our society impact our classmates and colleagues in a very real way on a daily basis.
- We **will** try, during this class, to identify when these “isms” influence our opinions and critically analyze our thoughts and behaviors.
- We **will** speak and act with respect, kindness, openness, and compassion at all times during this semester.

Special Guest Speakers. At various times during the semester, there will be special guest speakers who are relevant to the subject that we are discussing. Behavior and attendance during a special guest speaker is extremely important. I will not tolerate inappropriate behavior during a special guest speaker, and I will remove up to 25 points from your Engagement grade for inappropriate behavior. Inappropriate behavior includes texting from your cell phone, chatting or using Facebook on your laptop, or talking to other students while the guest speaker is speaking. Further, attendance at special guest speaker appointments is mandatory. The information provided by the guest speakers will be quizzed and tested heavily.

Use of Personal Technology

The use of personal technology, e.g. personal laptop computers, tablets, SmartPhones, is required for this class to facilitate lectures, assignments, interaction with the professor and TA, quizzes, readings for the course, exams, and efficient notetaking. Course notes and outlines will often be made available to students prior to each class period. Students are encouraged to download those materials and to use them during class time. If students are found to be using personal technology devices in any way that is not specifically related to the day’s class discussion, then I may deduct up to 10 points from the student’s engagement grade for the first offense. On the second and subsequent offenses, students will be referred to the Departmental Director of Undergraduate Programs and/or the Office of Student Conduct for violating course policy on the use of technology during the course.

Medically Necessitated Absences from Class

The University shall excuse class absences that result from a student's illness, provided the student complies with the procedures below. Procedures vary depending on the length and frequency of the absence and whether the absence occurs during a Major Scheduled Grading Event.

Major Scheduled Grading Events and Prolonged Absences. All Major Scheduled Grading Events are indicated on the attached schedule. Students who miss a Major Scheduled Grading Event due to illness or who have a prolonged absence due to illness (multiple consecutive absences due to the same illness) shall be required to provide his or her instructor with written documentation of the illness from the University Health Center or from his or her own health care provider. The University Health Center or health care provider shall verify dates of treatment and indicate the dates the student was unable to meet academic responsibilities.

Excused Absences from Class. Except during a Major Scheduled Grading Event, students may be excused from a single lecture, recitation or laboratory session one time per course per semester for a medically necessitated reason. The student should make a reasonable attempt to inform the instructor of his/her illness prior to the class, and present his or her instructor with a self-signed note attesting to the date of his or her illness. This note must include an acknowledgement: (a) that the information provided is true and correct, and (b) that the student understands that providing false information to University officials is a violation of Part 9(h) of the Code of Student Conduct.

For this course, all quizzes *are not* considered to be Major Scheduled Grading Events. When the student does not meet the quiz time limits or misses a quiz, the student will forfeit the opportunity to take the quiz and will receive a zero.

Because attendance is not recorded for lectures, there is no need for a student to provide a self-signed note or advanced notification for missing a lecture.

Office Hours

Sometimes the material is understood better by talking it through. Students who wish to discuss the material can attend my office hours to ask questions and talk through the material. Coming to my office hours are first-come, first-served. I will speak to each student individually and privately as they enter my physical office in College Park, my physical office in Shady Grove, or my Zoom meeting room. All of my office spaces are listed at the top of this syllabus.

Office hours for this semester are:

Monday: 12:30 pm – 1:30 pm via Zoom or in-person at the Shady Grove campus

Tuesday and Thursday: 12:30 pm – 1:30 pm via Zoom or in-person at the College Park campus

Students with Disabilities

I will make every effort to accommodate students who are registered with the ADS and who provide me with a University of Maryland ADS Accommodation form. I am not able to accommodate students who are not registered with ADS or who do not provide me with documentation that has not been reviewed by ADS.

Disability accommodations are the student's responsibility. **If the student has a disability or an accommodation that the student wants me to acknowledge, the student is required to have at least one 1:1 meeting with me in which the student discusses the accommodation and makes a plan for the accommodation. I cannot accommodate an issue that I don't know exists or that is unclear. If a student has a request for an accommodation that requires an extension of deadlines, students are required to notify me of the request for an extension at least 48 hours in advance of the deadline.**

Lecture Material

The lecture I deliver in this class and the course materials I create and distribute are protected by federal copyright law as my original works. My lectures are recorded or delivered from written lectures in order to insure copyright protection. You are permitted to take notes of my lectures and to use course materials for your use in this course. You may not record, reproduce or distribute my lectures/notes for any commercial purpose without my written consent. Persons who sell or distribute copies or modified copies of my course materials, possess commercial copies of my notes (i.e., Terpnotes), or assist another person or entity in selling or distributing those materials may be considered in violation of the University Code of Student Conduct, Part 9 (k).

Academic Integrity

Don't cheat on exams or plagiarize any written assignment. I will use the Turnitin score on your written assignments to assess whether a student has engaged in significant plagiarism.

All cases of suspected cheating will be submitted to the Student Honor Council and the Office of Judicial Programs. Cheating includes submitting assignments without citations and/or violating the terms and conditions of the exams.

CCJS 345: Courts and Sentencing, Fall 2022		
Class Date	Topic	Assignment Due
Tuesday, August 29	Course Introduction	Syllabus and Course Schedule
Thursday, August 31	Introduction to Courts and Case Processing	<i>Courts</i> : Section I; <i>Just Mercy</i> : Intro - Chapter 2
Tuesday, September 6	Introduction to Courts and Case Processing	
Thursday, September 8	Introduction to Courts and Case Processing	<i>Just Mercy</i> : Chapter 3 - Chapter 5
Tuesday, September 13	Historical and Contemporary Perspectives	<i>Courts</i> : Section II
Thursday, September 15	Historical and Contemporary Perspectives	<i>Just Mercy</i> : Chapter 6 - Chapter 8
Tuesday, September 20	Historical and Contemporary Perspectives	
Thursday, September 22	Historical and Contemporary Perspectives; Prosecutors and Defense Attorneys	<i>Courts</i> : Section III; <i>Just Mercy</i> : Chapter 9 - Chapter 11
Tuesday, September 27	Prosecutors and Defense Attorneys	
Thursday, September 29	Prosecutors and Defense Attorneys	<i>Just Mercy</i> : Chapter 12 - Postscript
Tuesday, October 4	Prosecutors and Defense Attorneys; Judges and Juries	
Thursday, October 6	Judges and Juries	<i>Courts</i> : Section IV
Tuesday, October 11	Judges and Juries	
Thursday, October 13	Judges and Juries	
Tuesday, October 18	Q & A	
Thursday, October 20	Mid-Term Exam: Major Scheduled Graded Event	
Tuesday, October 25	Pretrial and Trial Processes	<i>Courts</i> : Section V
Thursday, October 27	Pretrial and Trial Processes	
Tuesday, November 1	Pretrial and Trial Processes	<i>Courts</i> : Section VI
Thursday, November 3	Plea Bargaining and Trial Dynamics	
Tuesday, November 8	No Class - Election Day - Go Vote!	
Thursday, November 10	Guest Lecture	
Tuesday, November 15	Plea Bargaining and Trial Dynamics	<i>Courts</i> : Section VII
Thursday, November 17	Plea Bargaining and Trial Dynamics;	
Tuesday, November 22	Sentencing	
Thursday, November 24	No Class - Thanksgiving Break	
Tuesday, November 29	Sentencing; Appellate Process	<i>Courts</i> : Section VIII
Thursday, December 1	Appellate Process	
Tuesday, December 6	Appellate Process	
Thursday, December 8	Wrap Up/Q&A	
FINAL EXAM: Saturday, December 17 @ 10:30 am - 12:30 pm		