

Actual Innocence

Fall 2022 | CCJ5934 | ARCH 0423 | F 9:35 AM - 12:35 PM

COURSE DESCRIPTION

The American criminal legal system maintains numerous safeguards to prevent conviction of innocent individuals. Nevertheless, wrongful convictions persist. Psychologists, criminologists, forensic scientists, journalists, and legal scholars have examined cases of actual innocence for factors responsible for such wrongful convictions. This seminar will focus on current research regarding the variety of factors that may lead to erroneous conviction and science-based practice designed to attenuate the problem.



Professor:
**Dr. Lora
Levett**
Pronouns:
she/her/hers



Email:
llevett@ufl.edu
Use CJL6090 in
the subject line



Office hours in person (Turlington 3336) and via zoom
For zoom, see the weekly announcement
FRIDAYS 9:00am – 11:00am and by appointment

READINGS

Readings are available on the canvas course website and through the UF library. In addition to the readings assigned for the course, you should purchase a book exploring some aspect of law and social sciences that is outside of your primary area of education.

✓ Give a general description of the criminal legal process and the goals of truth finding and resolving conflict in the adversarial system.

✓ Describe the incidences and causes of wrongful conviction, including the role of mistaken evidence (e.g., eyewitness misidentification, false confessions and secondary confessions, faulty forensic science), the criminal processing process, and the intersections of demographic variables and occurrence of wrongful conviction.

✓ Describe science-based practices for improving the criminal legal process and decision making in the legal system to attenuate wrongful conviction.

LEARNING OBJECTIVES

By the end of this course, you should be able to demonstrate an understanding and ability to think critically about innocence issues. In addition, students should be better prepared for practical aspects of completing grants proposals and publications. To that end, students should be able to:

✓ Conduct research in the area of wrongful conviction, collaborating on a paper with the goal of submitting to a peer reviewed journal or law review

✓ Analyze cases of known and possible wrongful conviction according to those factors that are known to contribute to wrongful conviction with the goal of educating legal actors and laypeople about those cases and causes

COURSE REQUIREMENTS



Weekly Assignments (30 points)

Component	Description	Due	Points toward Grade
Discussion Questions	<p>To help prepare for discussion, each week you should submit at least 3 possible discussion questions to the group discussion board for each of the 6 weeks you are not discussion leader. Leaders may choose to use your questions in helping them guide the class in discussion.</p> <p>Good discussion questions may be open-ended, make connections between multiple readings (in the same week or over several weeks), make connections to other courses, draw out appropriate and scientific critiques of the reading, consider extensions or applications of the research, consider alternative methodologies, samples, or settings, extend future research, consider comparative approaches, or ask for clarification.</p>	Thursday at 10:00am	5
Lessons Learned	<p>In addition to preparing discussion questions, each week you should submit 5 'lessons learned' to your assignment for the week. In considering what you've learned from the reading and or videos, consider new theoretical perspectives or ideas, methodologies, problems, information you found surprising –there is a lot that could be appropriate here! For each point, you should include 2-3 sentences describing what you've learned, including citations. Websites may not be used for lessons learned.</p>	Thursday at 11:59pm	10
Clarification Questions	<p>When you have questions on the course material, please post in the clarification questions portion of the discussion boards. What did you not understand or need further information about? I will check this board regularly, and I expect that often your fellow students will be the ones to help you find answers. Do your own work as well – if you find the answer to your question, post it for the class.</p>	Throughout the week	0
Participation	<p>Participation and discussion is pivotal to learning in this course. In addition to contributing to the substantive discussion in the course, your goal should be to elevate the level of discourse. Participation in class includes participating in the weekly discussion and panel reviews and is self graded according to the rubric at the end of the syllabus (adapted from Dr. Margaret Bull Kovera). You should submit your participation grade along with 2-3 sentences justifying your grade according to the rubric. As long as I agree with your self-assessment, this will be your grade. If I disagree, we will discuss the disagreement and my grade will override your self assessment.</p>	Self assessment due FRIDAYS by 11:59pm	15
TOTAL POINTS TOWARD GRADE			30

COURSE REQUIREMENTS, CONTINUED



Discussion Leader 15 points

Component	Description	Due (fill in with your dates)	Points toward Grade
Leading Class Discussion	All of you are expected to come to class prepared to discuss the readings for that week. However, part of learning is to lead a scholarly discussion. Therefore, on 1-2 class days (class preference), you will serve as the leader of the class discussion. To lead discussion, you should prepare a brief summary of the topics and readings and then ask questions to lead a scholarly, fruitful discussion of the readings for that week. You should include questions of your own creation and questions from the class discussion board for that week (which you also contribute to as a leader). I will grade your discussion leadership using the rubric provided at the end of the syllabus, which was adapted from Dr. Margaret Bull Kovera.		15
TOTAL POINTS TOWARD GRADE			15

COURSE REQUIREMENTS, CONTINUED



Case Analysis and Expert Testimony 20 points

Component	Description	Due	Points toward Grade
Case Analysis and Expert Testimony	<p>One of our objectives in this course is to help you analyze actual cases of wrongful conviction and learn how to communicate those messages to policy makers, judges, attorneys, and juries. To that end, we will spend time in designated classes reviewing and analyzing cases of known and possible wrongful conviction.</p> <p>To earn full points here, you need to participate in the analysis of the cases presented and participate in the expert testimony group activity in class.</p>	Varies	20

COURSE REQUIREMENTS, CONTINUED



Developing Research in Actual Innocence 35 points

Component	Description	Due	Points toward Grade
Project Meetings	Part of the purpose of this class is to help you understand how to develop, execute, and publish work in actual innocence research. To that end, we will plan a project (possibly projects) to work on throughout the semester. Points will be awarded for project meetings based on participation and working actively toward the finished product. Work will be assigned in project meetings based on project scope, purpose, and needs.	Varies	15
Project Workshops	To move project(s) to fruition, we will work as a team to complete research during the latter part of the class. Points will be awarded for project meetings based on participation and working actively toward the finished project. Work will be assigned in project meetings based on project scope, purpose, and needs. Project workshops will be team workshops designed to help us move toward the finished project.	Varies	20
TOTAL POINTS TOWARD GRADE			35

Grades are determined according to a **point structure** based on your work on a combination of exams and assignments. I encourage you to use this chart to keep track of your points earned this semester. Total points will be computed as a function of the average points earned for assignments in that category.

GRADING

Final grades will be determined according to the following structure. GPA assignments are also noted below. For more information about UF grades and grading policies, see www.catalog.ufl.edu/UGRD/academic-regularions/grades-grading-policies/

Component of your grade		Points you can earn	Points you earned
Weekly Assignments	Discussion Questions	5	_____
	Lessons Learned	10	_____
	Participation	15	_____
	Discussion Leader	Leading Class	15
Case Analysis and Expert Testimony		20	_____
Developing Actual Innocence Research	Project Meetings	15	_____
	Project Workshops	20	_____
	TOTAL POINTS	100	_____

Grade	Points Earned	Corresponding GPA
A	93-100	4.00
A-	90-92	3.67
B+	87-89	3.33
B	83-86	3.00
B-	80-82	2.67
C+	77-79	2.33
C	73-76	2.00
C-	70-72	1.67
D+	67-69	1.33
D	63-66	1.00
D-	60-62	.67
E	<60	.0

COURSE POLICIES

Students with Disabilities

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the Disability Resource Center by visiting <https://disability.ufl.edu/students/get-started/>. It is important for students to share their accommodation letter with their instructor and discuss their access needs, as early as possible in the semester.

Campus Resources

As a reminder, UF has many resources available to you should you encounter situations in which you need support throughout your time at UF. I encourage you to seek out these campus resources:

Counseling and Wellness Center: <https://counseling.ufl.edu/> 352-392-1575

Student Health Care Center: <https://shcc.ufl.edu/> 352-392-1161

UF Police Department Office of Victim Services: <http://www.police.ufl.edu/victim-services/>

Dean of Students Office – emergency response team:
https://www.dso.ufl.edu/home/about/emergency_response

U Matter, We Care can also help students, staff, or faculty in distress. You can reach them via email at umatter@ufl.edu or phone 352-392-1575. If you find yourself concerned about a fellow student, you can notify U Matter, We Care, and they will reach out to the student.

Administrative Information

This syllabus is provided for your information and may change as deemed necessary. You are responsible for learning all the material contained in the syllabus as well as any modifications that are made to the syllabus during class time. All changes to the syllabus will be announced and emailed to you. If you have any questions about the syllabus or course requirements, please feel free to contact me. A proposed semester schedule appears below, and any changes will be updated on canvas and announced in class.

Civility and Values

As members of this class and university, we are members of a larger learning community where excellence is achieved through civility. Our actions affect everyone in our community. Everyone is to be treated with respect, regardless of gender, age, race, culture, religion, sexual orientation, political affiliation, or other identity.

Makeup Policies

I understand that sometimes one's life sometimes interferes with one's ability to complete class requirements. If you have a legitimate reason for missing a class assignment or class session (e.g., illness, death in the family, power outage) and **can provide documentation**, you will be allowed to make up what you missed IF you contact me immediately before/after the missed assignment. If you miss a class discussion or activity, you may be given an alternative assignment depending on the feasibility of completing the assignment out of class context. Religious holidays are excused without documentation but must be discussed in advance.

Course Evaluation

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <http://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

Academic Misconduct

UF Students are bound by the Honor Pledge which states “We the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the honor code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code (sccr.dso.ufl.edu/process/student-conduct-code/) specifies a number of behaviors that are in violation of this code and the possible sanctions. If you have questions or concerns, please consult with the instructor or the TA in the class.

For this course, **all work is to be completed individually** unless otherwise specified.

COURSE POLICIES, CONTINUED

Communication

When in doubt, communicate with me! I am here to help you navigate this course and this semester. There are several ways you can communicate with me:

Discussion Board: You can post content or class related questions on the discussion board in our Canvas Course Shell. Be sure to look at previous posts to see if your question has been asked/answered. I will check this board regularly and weigh in. However, often, your fellow students will be your best – and fastest – resource. Think of this discussion board as a place to ask things that you would typically ask by raising your hand in class.

Email: The fastest way to reach me is through email. Please **use your UF email** and include CJL6090 in the subject line. **If you do not hear back within 48 hours, please pop your email to the top of our inbox by forwarding it.** I get a TON of email, and don't want to lose yours in the shuffle! Email should be used whenever questions are of a private manner or something you would not generally raise your hand about during class.

Office hours: Please pop by to say hi during office hours! I am here to meet with you and help you with course material, answer questions about the class or your graduate program, chat about careers – I am here to be a resource for you! If office hours don't work for your schedule, I am also available to zoom by appointment.

Academic Resources

Academic resources may be helpful in navigating issues you may encounter in this class or at your time at UF. I encourage you to take advantage of these resources.

Library support: www.cms.uflib.ufl.edu/ask/ various ways to receive assistance with respect to using the libraries or finding resources.

Writing Studio: 2215 Turlington Hall, 352-846-1138. Help brainstorming, formatting, and writing papers. www.writing.ufl.edu/writing-studio/

Student Complaints (on-campus): www.sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/

Classroom Behavior/Zoom Expectations

Students are expected to behave appropriately during class. This class is meant to be an enriching, enjoyable experience for all of you. Disrupting the class results in depriving your fellow classmates and yourself of this experience. The instructor is the final arbiter of what behavior is appropriate and inappropriate. However, you may use the following principle to guide your classroom behavior: Your behavior should not be disruptive or distracting to the instructor or your classmates. This principle will help you determine appropriate classroom behaviors. The following list is not exhaustive.

General classroom behavior:

- ✓ Stay focused, attentive, and actively participate! You will get more out of class the more you put into it.
- ✓ Stay on task during class! Close browsers or applications if you're using your computer. Don't text. Focus on what you're doing.
- ✓ Behave in a civil manner that is respectful to your fellow classmates, your instructor, and yourself.

If we need to switch to zoom:

- ✓ Make sure your computer is charged.
- ✓ **If we're on zoom, use your camera** if your bandwidth and webcam allow it and you feel comfortable doing so.
- ✓ Use a **virtual background** that reflects your personality if you'd like (but make sure it's appropriate!)
- ✓ Register with your name that is on our official roster; if you changed your name to better reflect your gender identity, no problem; just let us know what name you prefer in a private message so we can count your attendance.
- ✓ Wear clothes!
- ✓ **When you're not speaking, keep yourself on mute** to eliminate background noise.
- ✓ **Use the chat!** Type questions here –your instructor will respond to them in real time. Stay on topic in the chat.
- ✓ Raise your virtual hand when you would like to speak.
- ✓ Do not share your Zoom classroom link or password with others.

COURSE SCHEDULE

Note: Readings and sources will be posted in Canvas based on class selections. Class members will get a preview of possible topics and will pick topics and readings based on the class selections during week 1.

Week	Date	Topic	Discussion Leaders
1	8/26	Introduction to course, Welcome Discussion of course components Database building discussion	
2	9/2	The adversarial system: Truth finding versus resolving conflicts Discussion of innocence data Discussion of project management	Lora
3	9/9	Topics in Actual Innocence: Eyewitness Identification Case analysis 1 Project meeting 1	
4	9/16	Topics in Actual Innocence: Case analysis 2 Project meeting 2	
5	9/23	Topics in Actual Innocence: Case analysis 3 Project meeting 3	
6	9/30	Topics in Actual Innocence: Expert testimony review	
7	10/7	NO CLASS - UF HOMECOMING	
8	10/14	Topics in Actual Innocence: Expert testimony review	
9	10/21	Topics in Actual Innocence: Project workshop	
10	10/28	Topics in Actual Innocence: Project workshop	
11	11/4	Project workshop	
12	11/11	NO CLASS - VETERANS' DAY	
13	11/18	Project workshop	
14	11/25	NO CLASS - TURKEY DAY BREAK	

A MESSAGE FOR STUDENTS:

Finally, I have a message for you all, taken from the National Commission on Excellence in Education (1997):

“To Students:

You forfeit your chance for life at its fullest when you withhold your best effort in learning. When you give only the minimum in learning, you receive only the minimum in return. Even with your parents’ best example and your teachers’ best efforts, in the end it is your work that determines how much and how well you learn. When you work to your full capacity, you can hope to attain the knowledge and skills that will enable you to create your future and control your destiny. If you do not, you will have your future thrust upon you by others. Take hold your life, apply your gifts and talents, and work with dedication and self-discipline. Have high expectations for yourself, and convert every challenge into an opportunity.”

It is my hope that you will take this course and your years in graduate school as a unique, once-in-a-lifetime opportunity to expand your mind, enjoy yourself and your capacity to learn, and absorb as much knowledge as you can. Get ready for a GREAT semester, and as always, **press on!**

-Dr. L

Discussion Leader Rubric (15 pts)

	Excellent (Total points *1)	Good (Total points *.75)	Fair (Total points *.5)	Poor (Total points *.25)
Preparation 3 pts	<p>Thorough understanding of the readings</p> <p>Facilitator shows a depth of insight and careful preparation</p>	<p>Solid understanding of the readings</p> <p>May miss some nuances</p>	<p>Demonstrates general understanding of the readings</p> <p>May show evidence of some gaps in comprehension</p>	<p>Significant gaps and/or inaccuracies in understanding the assigned readings</p>
Facilitates Discussion 6 pts Avoids excessive presentation and generates sufficient discussion	<p>Facilitator effectively engages students in discussion of the readings.</p> <p>Listens well and responds appropriately.</p> <p>Uses follow-up questions to expand the discussion.</p> <p>Encourages all students to participate</p>	<p>Facilitator leads discussion well.</p> <p>May need more follow-up questions to:</p> <p style="padding-left: 40px;">engage students more</p> <p style="padding-left: 40px;">engage more students, or</p> <p style="padding-left: 40px;">keep discussion on-track.</p>	<p>Facilitator has some difficulty leading the discussion</p> <p>Minimal opportunity for discussion</p> <p>Allows discussion to remain off-topic</p> <p>Shows at least some skill as facilitator</p>	<p>Facilitator ineffectively engages students.</p> <p>Discussion falls flat due to presenter difficulties.</p> <p>Engagement of classmates was weak.</p>
Quality of Questions 6 pts	<p>Insightful, appropriate, and in-depth questions</p> <p>Questions provoked a thorough and useful discussion of the readings.</p>	<p>Very good choice of questions.</p> <p>Key points are highlighted</p> <p>Readings are covered well.</p>	<p>Some good questions</p> <p>Needed more in-depth questions</p> <p>Needed more questions</p>	<p>Questions need more work</p> <p>Readings inadequately covered</p>

Class Participation Rubric (15 pts)

15	12	9	6	0
<ul style="list-style-type: none"> • excellent preparation • has analyzed readings deeply, relating them to other material (e.g., readings, course material, discussions, etc.) • offers analysis, synthesis, and evaluation of readings e.g., puts together pieces of the discussion to develop new approaches that take the class further • keeps analysis focused • responds very thoughtfully to other students' comments • contributes to cooperative argument building • suggests alternative ways of approaching material and helps class analyze which approaches are appropriate • demonstrates ongoing very active involvement. 	<ul style="list-style-type: none"> • good preparation • knows readings well • has thought through implications of readings • offers interpretations and analysis of case material (more than just facts) • contributes well to discussion in an ongoing way • responds to other students' points • questions others in a constructive way • offers and supports suggestions that may be counter to the majority opinion • demonstrates consistent ongoing involvement. 	<ul style="list-style-type: none"> • adequate preparation • knows basic facts from readings but does not show evidence of trying to interpret or analyze them • offers straightforward information (e.g., straight from the case or reading), with little (perhaps once a class) or no elaboration • demonstrates sporadic involvement. 	<ul style="list-style-type: none"> • Present, not disruptive • tries to respond when called on but does not offer much • demonstrates very infrequent involvement in discussion. 	<p>Not present</p>