

CCJ4934: Wrongful Convictions

Fall 2024, Period 7 (T) & 7-8 (TH)

T: 1:55 pm – 2:45 pm & TH: 1:55 pm – 3:50 pm

Little Hall, Room 0127

Instructor: Kyle R. Hewit, MA (kyle.hewit@ufl.edu)

Office Hours: Monday & Friday, 12:30pm – 1:30 pm

Office Hours Location: Turlington Building, Room 3347

I am typically highly responsive to emails. You should expect a reply within 24 hours on weekdays. If I do not respond, please forward the email again.

Course Description:

Within the American criminal justice system, safeguards exist to prevent wrongfully accused individuals from being prosecuted and convicted. Despite these legal and social protections, wrongful convictions continue to occur. Legal scholars, social scientists like criminologists and psychologists, forensic scientists, journalists, and many others have attempted to determine the factors that lead to wrongful convictions. This course is focused on discussing and learning about the current research and practices that have examined the great many factors that have led to wrongful convictions. The purpose of the course is to educate students on the factors that contribute to wrongful convictions, help students think through the policies in place to alleviate wrongful convictions, and debate the merits of these policies for that purpose. To those ends, we will read and discuss the most current research on wrongful convictions as well as research examining potential new avenues of practice that may help alleviate this timely and important issue.

Required/Recommended Materials:

Required: *When Justice Fails: Causes and Consequences of Wrongful Convictions (2nd Ed.)* by Norris, R. J., & Acker, J. R. (2021).

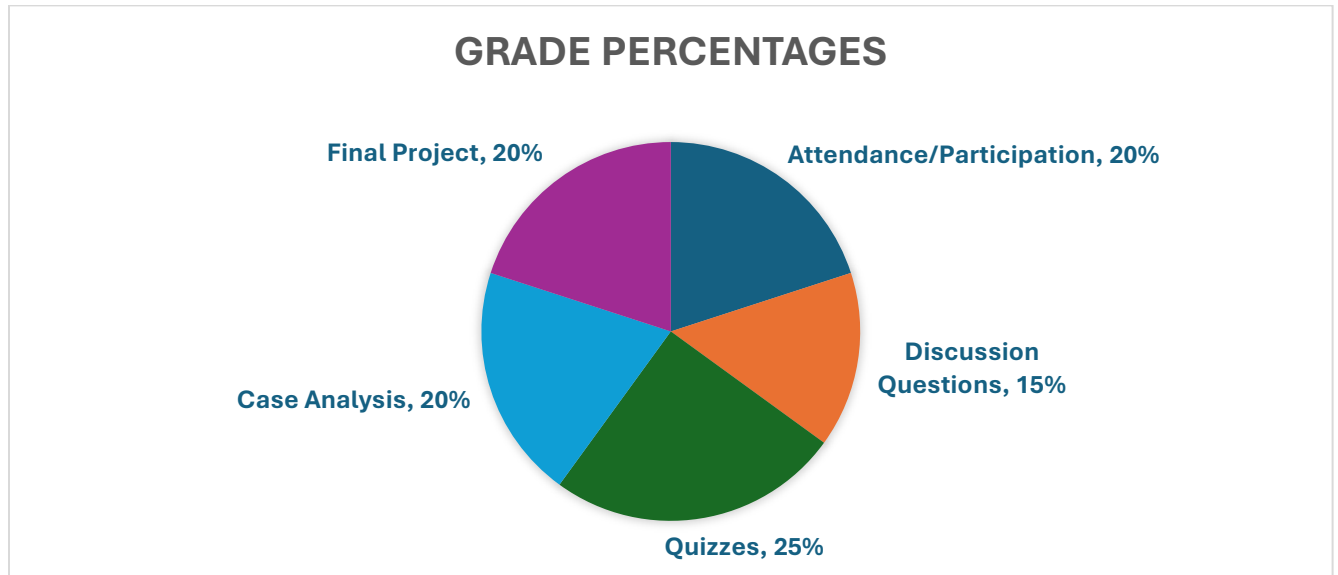
All other required materials will be provided for free through links in Canvas and will consist primarily of research articles and other relevant scholarly materials.

Learning Objectives:

By the end of this course, all students should be able to:

- Identify and describe the factors that contribute to wrongful convictions.
- Identify and discuss the implications, strengths, and weaknesses of the current policies and practices developed to alleviate wrongful convictions.
- Identify and describe potential policies and practices that may be used in the future to better reduce wrongful convictions.
- Discuss the relevance of race as a major factor in wrongful convictions.
- Discuss the consequences of wrongful convictions for all involved in the process (i.e., the exoneree, their family, the victim, the victim's family, the prosecution, etc.)

Grading (To view UF's current grading policies, please visit this [link](#)):



For the course, I use a +/- grading scale (I round to hundredths; 89.45 = A-, 89.44 = B+):

- A = 93 +
- 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
- E = 59 and below

A total of 1,000 raw points are available for you to earn. Thus, 10 raw points = 1% of your final grade. The categories for which you can earn those points are:

Attendance/Participation - 200 points (20% of final grade; 25 A/Ps, each worth 0.8%)

Discussion Question Submissions – 150 points (15% of final grade; 20 DQs, each worth 0.75%)

Quizzes – 250 points (25% of final grade; 4 quizzes, each worth 6.25%)

Case Analysis – 200 points (20% final grade)

Final Paper – 200 points (20% final grade)

- Attendance/Participation—20%.

I expect every student to attend every class. **For all classes, you will submit your name, the word “present” or something to that effect to the A/P submission area in Canvas for that day.** Attendance will solely be counted by looking at whether you submitted something. Do not turn in anything for days that you are absent. If you are caught doing so, appropriate action will be taken which you will most likely not enjoy. The only way to have your attendance counted is if you turn in the assignment. If you do not turn in the assignment, you will not be counted as having attended class. However,

Each student has a total of 3 free skips for attendance. I will automatically apply these 3 skips to any days that a student received a zero and did not specifically ask to use a free skip. There are a total of 28 classes. With the 3 free attendance skips, there are a total of 25 mandatory A/P Canvas submissions this semester. As such, **each A/P is worth 0.8% of your final grade (i.e., 8 points).**

Of course, there are extenuating circumstances which I will account for when counting attendance. To obtain A/P points for days that you miss class, you must provide documentation of a valid extenuating circumstance. **Things like vacationing/traveling, working, etc., are NOT valid excuses for an absence.**

In addition to attending class, I expect everyone to contribute to our discussions in some way. Please come to class prepared and ready to have fruitful discussions about the topics of the day. **I start each course with a lecture and then open the class to discussions of the readings and questions you all posed.** If I pose a question and receive silence in return, I reserve the right to randomly call on you although I truly do not like doing that. So, please do not force my hand. Come to class ready to talk with me and your peers about the topic(s) of the day. It would likely help anyone with anxiety about the prospect of being called on to look over the discussion questions in advance. Once you submit your own, you can view all others' submitted questions.

You will get out of the course what you put into it. The discussions will only be as fruitful as the effort you put into them. I can sit and lecture for the entire class but would much rather discuss these issues as a group. Please consider this as we navigate the course.

Participation Grade/Weekly Activities: **Each week, you will be asked to complete one activity to be submitted by class time on Thursday of that week.** Each Thursday will begin with a lecture. Then, we will move to our group discussion of the module topics/your discussion questions. Finally, we will review the weekly activity. The activities, while you **MUST** turn them in on Canvas, will only be graded as part of your participation grade. In other words, all students must submit their activity to Canvas before Thursday's class. **If you do not submit the activity, you will not receive participation points for that Thursday.**

- Discussion Questions—15%

To help prepare you all for the discussion of the day, I expect you to submit at least one question for each of the modules that relates back to the material you read/watched for that module. **Grading for discussion questions will be based on 1) whether you submitted at**

least one novel question that relates to the material for the week (2.5 points), and 2) the quality of the question(s) (5 points). Good discussion questions should be open-ended. Discussion questions can 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 material, or consider the implications of legal decisions and research findings. You must turn in at least one discussion question for each class period (i.e., by Tuesday and Thursday of each week).

There are a total of 23 opportunities to submit questions, and I allow you to skip three with no questions asked (this is separate from your 3 A/P skips; regardless of whether you use your A/P skips, I will automatically drop your 3 lowest DQ grades). As such, **each student MUST turn in 20 discussion questions by the end of the course; each discussion question is worth 0.75% of your final grade (i.e., 7.5 points per DQ).**

- Quizzes—25%

Over the course of the semester, you will be expected to complete a total of 4, non-cumulative quizzes. Each quiz will contain 10 multiple choice and/or true false questions. You have 30 minutes to complete the quiz. You have two attempts at each quiz (lowest grade will be dropped). Each time, the questions will differ. As such, you must have some understanding of which questions you were more and less familiar with to help you improve your grade on your second attempt. You will **NOT** be given the correct answers to the quizzes. The quizzes are closed note. To take the quizzes, you must download the Respondus Lockdown Browser and take the quizzes through the browser. I have created multiple areas that link to the downloadable browser within Canvas. **Each quiz will open on Thursday at 5:00 pm and close on Friday at 11:59 pm of the respective week for each quiz.** Thus, you have 1.5 days to complete each quiz. **There are 4 quizzes worth 25% of your final grade. Thus, each quiz is worth 6.25% of your final grade (i.e., 62.5 points per quiz).**

- Case Analysis—20%

For this assignment, you will be acting as a scholar tasked with creating an analysis of a case of wrongful conviction of your choosing. The only stipulation is that the case must include more than one contributing factor to the wrongful conviction. The point of this assignment is for you to apply what you have learned in class in a practical way. To that end, the analysis will consist of 1) A summary of the case, 2) cited social scientific literature to help you explain the most likely reasons that the wrongful conviction occurred, and 3) two novel policy prescriptions (one per contributing factor) recommended by you which you believe would have helped prevent the case of wrongful conviction you chose. Provide empirical backing for your recommendations. Cases of wrongful conviction can be found at <https://www.law.umich.edu/special/exoneration/Pages/detaillist.aspx>. **All chosen cases and a general outline of the project must be expressed to me by Thursday, Sept. 12th.** This can be an informal meeting; I do not require a formal outline. **The full case analysis is due by Friday, October 11th.** The rubric and full details are on Canvas. I have dedicated a full class period to review of the substantive and formatting requirements for the case analysis (Oct. 1st) and a class period dedicated to working on the analysis (Oct. 3rd). **The case analysis is worth 20% of your final grade (i.e., 200 points).**

- Final Paper—20%

For the final project, you must choose one concept, idea, or topic you found particularly interesting and explore that topic further. You must write a four-page essay on the topic, focusing on communicating the state of the field on the topic and where you think we are heading and should head with regard to that topic. For example, if you decide to write about race and wrongful convictions, you should read material on the topic not discussed in class to gain a more nuanced understanding of how race influences wrongful convictions than what we learned in class. You would then write about what you learned and how you think race will continue to play a role in wrongful convictions or whether its influence will diminish. There are many acceptable topics for you to write about. More specific details on the formatting and grading scheme will be provided in the rubric for the project on Canvas. **All topics must be approved by me by Thursday, October 31st. The final project is due on Friday, December 6th by 11:59 pm.** I have dedicated a full class period to review of the substantive and formatting requirements for the final paper (Nov. 12th) and a class period dedicated to working on the paper (Nov. 14th). **The final paper is worth 20% of your final grade (i.e., 200 points).**

Course Schedule

<u>Date</u>	<u>Class Period Overview</u>	<u>Due Before Class</u>
TH: Aug. 22 nd	Syllabus Review/Intro to Wrongful Convictions	None
T: Aug. 27 th	Eyewitness Misidentification	Discussion Question
TH: Aug. 29 th	Eyewitness Misidentification	Discussion Question
T: Sept. 3 rd	Interrogations/Confessions	Discussion Question
TH: Sept. 5 th	Interrogations/Confessions	Discussion Question
		Quiz 1 Due Friday @ 11:59pm
T: Sept. 10 th	Guilty Pleas/Plea Bargains	Discussion Question
TH: Sept. 12 th	Guilty Pleas/Plea Bargains	Discussion Question
		LAST DAY TO GET CASE ANALYSIS IDEAS APPROVED
T: Sept. 17 th	Forensic Science Evidence	Discussion Question
TH: Sept. 19 th	Forensic Science Evidence	Discussion Question
T: Sept. 24 th	Incentivized Informants	Discussion Question
TH: Sept. 26 th	Incentivized Informants	Discussion Question
		Quiz 2 Due by Friday @ 11:59 pm
T: Oct. 1 st	Case Analysis Review Day	None
TH: Oct. 3 rd	Case Analysis Work Day	None
T: Oct. 8 th	Prosecutors/Gov. Actors	Discussion Question
TH: Oct. 10 th	Prosecutors/Gov. Actors	Discussion Question

		Case Analysis Due by Friday @ 11:59 pm
T: Oct. 15 th	Defense Attorneys	Discussion Question
TH: Oct. 17 th	Defense Attorneys	Discussion Question
T: Oct. 22 nd	No Crime Cases	Discussion Question
TH: Oct. 24 th	No Crime Cases (SHOWING DOCUMENTARY)	Discussion Question
T: Oct. 29 th	Alibis	Discussion Question
TH: Oct. 31 st	Alibis	Discussion Question
		Quiz 3 Due by Friday @ 11:59 pm
		LAST DAY TO GET FINAL PROJECT IDEAS APPROVED
T: Nov. 5 th	Life After Exoneration	Discussion Question
TH: Nov. 7 th	Life After Exoneration	Discussion Question
T: Nov. 12 th	Final Paper Review Day	Questions Regarding Final Paper
TH: Nov. 14 th	Final Paper Work Day	None
T: Nov. 19 th	Societal Consequences	Discussion Question
TH: Nov. 21 st	Societal Consequences	Discussion Question
		Quiz 4 Due by Friday @ 11:59 pm
T: Nov. 26 th	THANKSGIVING BREAK! NO CLASSES	THANKSGIVING BREAK! NO CLASSES
		<u>GatorEvals open today</u>
TH: Nov. 28 th	THANKSGIVING BREAK! NO CLASSES	THANKSGIVING BREAK! NO CLASSES
T: Dec. 3 rd	Last Minute Questions for Final Paper/Final Class Discussion of All Things WC	Final Project Due by Friday, Dec. 6TH @ 11:59 PM!

Policy on Make-Up Work:

All make-up work is the student's responsibility! If you know you may miss an assignment, inform me as soon as possible. Without appropriate documentation, class assignments cannot be made up. All requirements for make-up work are consistent with the UF's [academic policies](#).

Classroom Rules of Conduct:

The instructor has the primary responsibility for control over class behavior and may order temporary removal or exclusion of students from the discussions who disrupt the class or who violate the general policies of the College. Disruptive conduct shall include, but is not limited to, any offensive or rude behavior directed toward the instructor or other students during the discussion forums.

Ensuring a Quality Learning Environment:

People learn best when they are encouraged to ask questions and express their diverse opinions on course content. This is especially true in courses that deal with provocative or contemporary issues. UF offers many such courses, in which students encounter concepts of race, color, sex, and/or national origin. We teach these important issues because understanding them is essential for anyone who seeks to make economic, cultural, and societal contributions to today's complex world. With this in mind, I do not limit access to, or classroom discussion of, facts, ideas, and opinions—including those that some may find uncomfortable, unwelcome, disagreeable, or even offensive. In response to challenging material, I encourage all of us to ask honest questions and thoughtfully engage one another's ideas. Hostility, disruptive/disrespectful behavior, and provocation for provocation's sake have no place in a classroom; reasonable people disagree reasonably. These guidelines can help us as we work together to fulfill the mission of the University of Florida, which includes the exploration of intellectual boundaries, the creation of new knowledge, and the pursuit of new ideas.

The Honor Code/Cheating:

We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty 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."

In adopting this Honor Code, the students at the University of Florida recognize that academic honesty and integrity are fundamental values of the University community. Students who enroll at the University commit to holding themselves and their peers to the high standard of honor required by the Honor Code. Any individual who becomes aware of a violation of the Honor Code is bound by honor to take corrective action. Any student caught submitting work that was not a product of their own efforts, whether this is by plagiarizing one of the papers or cheating on one of the quizzes or exams, will be punished. Students who have previous honor code infractions will have a packet submitted directly to the school and may face severe penalties up to expulsion. Students with no prior honor code violations will be required to meet with the instructor face to face, and based on the severity of the cheating and the actions of the student, they may receive: a zero on the assignment, a grade reduction in the class, and/or a failing grade in the course. This determination will be made by the instructor. If a student is caught cheating a second time in the class, the student will be treated as if they have a previous honor code violation. Any student who helps another student to cheat will be treated as equally guilty. For more information on UF's Honor Code and Codes of Conduct, please visit this [link](#).

Disabilities:

The University of Florida is committed to providing academic accommodations for students with disabilities. Students with disabilities requesting accommodations should first register with the Disability Resource Center (DRC) by providing appropriate documentation. Once registered, a student should present his/her accommodation letter to me which supports your request for accommodations. The University encourages students with disabilities to follow these procedures as early as possible within the semester. To get connected with the DRC, visit this [link](#). You may also call this number to talk with a representative for DRC: 352-392-8565.

Course Evaluations:

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: <https://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/>.

In-Class Recording:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal education use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and deliver by an instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentation such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private 2 conversations between students in the class or between a student and the faculty or guest lecturer during a class session.

Publication without the instructor’s permission is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

Disclaimer:

The instructor reserves the right to alter the course syllabus as circumstances dictate. Any changes will either be announced in class or posted on Canvas. Students not attending class are responsible for obtaining this information.

Health & Wellness:

U Matter, We Care: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392- 1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.

Counseling and Wellness Center: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.

Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).

University Police Department: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).

UF Health Shands Emergency Room / Trauma Center: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#)

Academic Resources:

E-learning technical support: Contact the [UF Computing Help Desk](#) at 352-392-4357 or via e-mail at helpdesk@ufl.edu.

Career Connections Center: Reitz Union Suite 1300, 352-392-1601. Career assistance and counseling services.

Library Support: Various ways to receive assistance with respect to using the libraries or finding resources.

Teaching Center: Broward Hall, 352-392-2010 or to make an appointment 352- 392-6420. General study skills and tutoring.

Writing Studio: 2215 Turlington Hall, 352-846-1138. Help brainstorming, formatting, and writing papers.

Student Complaints On-Campus: [Visit the Student Honor Code and Student Conduct Code webpage for more information](#).

Online Student Complaints: [View the Distance Learning Student Complaint Process](#).