

# CCJ4934: Wrongful Convictions

Summer B 2023, Period 5

M, T, W, TH, F: 2:00 pm – 3:15 pm

Turlington Building, Room 2353

**Instructor:** Kyle R. Hewit, MA ([kyle.hewit@ufl.edu](mailto:kyle.hewit@ufl.edu))

**Office Hours:** Wednesday & Thursday, 3:30pm – 4:30pm (immediately following class)

**Office Hours Location:** Turlington Building, Room 3347

I am typically very 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:

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

I also recommend that you obtain the book *When Justice Fails: Causes and Consequences of Wrongful Convictions (2<sup>nd</sup> Ed.)* by Norris, R. J., & Acker, J. R. (2021). However, this book is NOT required to pass the course and you are in no way required to have it.

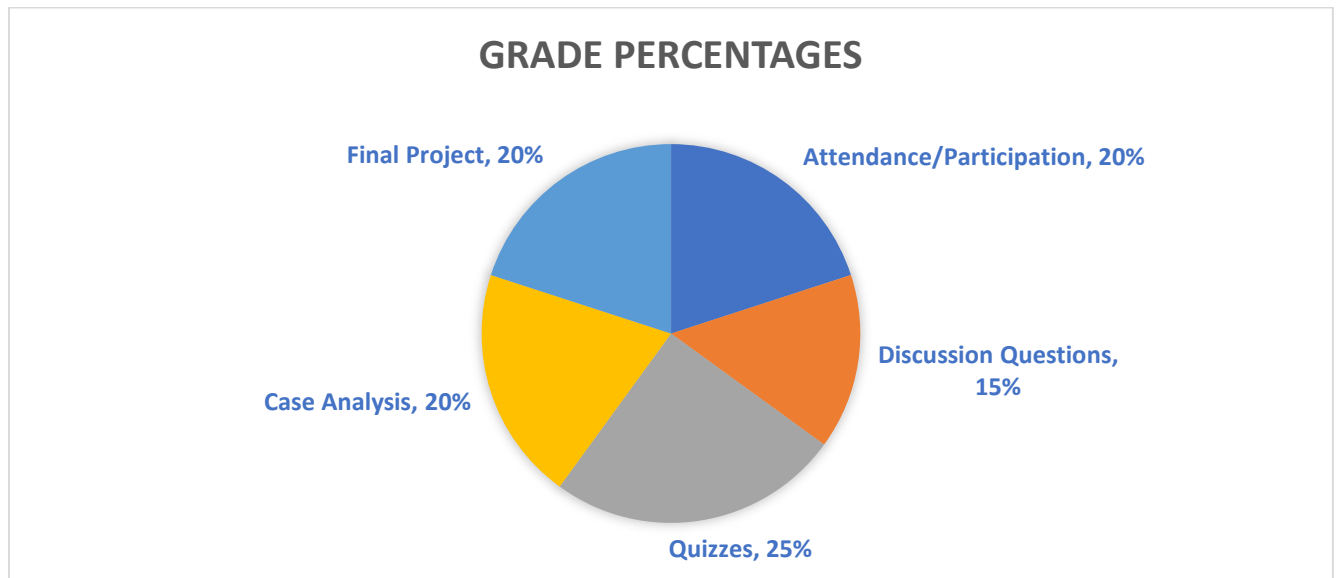
## Learning Objectives:

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



**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
- Attendance/Participation—20%.  
I expect every student to attend every class. For all M-TH classes, attendance will be counted by looking at whether you turned in a discussion question for the day. The only way to have your attendance counted is if you turn in the question. However, for any day you use one of your free skips for the discussion question, it is on you to approach me and let me know that you need your attendance counted (unless you would like to use one of your 3 free attendance days). You may not come to me for attendance points once a class has ended and we have all disbursed the classroom. On Fridays, attendance will be counted through the completion of the Friday activity. Of course, there are always extenuating circumstances

which I will account for when counting attendance. You must provide documentation of this valid extenuating circumstance if you expect to get credit for attendance for the day you were absent. Things like **vacationing/traveling, working, etc., are NOT valid excuses for an absence**. However, I will provide you with THREE free, unexcused absences. As such, you have 25 graded days of attendance. So, each day is worth 0.8% of your final grade.

In addition to attending class, everyone is expected 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. As such, I expect each of you to contribute to the class discussions. 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 get 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. So, the discussions will only be as fruitful as the effort you put into them. I can sit and lecture for over an hour but would rather discuss these issues together. Please consider this as we navigate this intensive 6-week course.

*Friday Activities:* I reserve each Friday for us to discuss any questions you all might have about the material we learned for that week. As part of this “free” day, you will each turn in one activity before the Friday of each week (you have two options for the activity each week, one specific to each of the two modules covered that week). We will start each Friday by discussing your answers and then move on to your specific questions. These activities are to be completed by Friday before class. The activities, while you **MUST** turn them in on Canvas, will only be graded as part of your attendance. As such, if you do not turn in a Friday activity by Friday's class each week, you will be considered absent for that day even if you attend class (IGNORE THE RUBRICS FOUND IN THE CANVAS TAB FOR THESE ACTIVITIES; THEY DO NOT APPLY TO THE SUMMER COURSE).

- 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. 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 Monday – Thursday each week (Friday is reserved for Friday activities, see above), for a total of at least four questions per week. You are allowed to forgo turning in five questions on Monday and expect to not turn in any other questions that week. **You MUST turn in at least one question per class day (M-TH)**. There are a total of 23 opportunities to submit questions, and I allow you to skip three with no questions asked. **As such, each student MUST turn in 20 discussion questions by the end of the course.** Thus, each discussion question is worth 0.75% of your final grade. Remember, as noted above, if you take a free day to forgo doing a discussion question, you **MUST** tell me you attended class and must do so before we leave class on the day you desire credit so I can see that you were actually there.

- Quizzes—25%

Over the course of the “semester” you will be expected to complete a total of four, 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. **You will have 3 days to complete each quiz.** Given this is a Summer B course, the quizzes are a bit scattered through the 6 weeks. I apologize for this, but it is the only way to keep the quizzes consistent with the course content. Given there are four quizzes, each is worth 6.25% of your final grade.

- 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 Friday, July 14th.** This can be an informal meeting; I do not require a formal outline. **The full case analysis is due by Friday, August 4th.** The rubric and full details are on Canvas.

- 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. Like the case analysis, **all topics must be approved by me by Friday, July 14<sup>th</sup>. The final project is due on Friday, August 4<sup>th</sup>.**

### Course Schedule

<b>Date</b>	<b>Class Period Overview</b>	<b>Due Before Class</b>
M -July 3 <sup>rd</sup>	Class Overview/Syllabus Review	None
T-July 4 <sup>th</sup>	NO CLASS	HOLIDAY/NO CLASS
W-July 5 <sup>th</sup>	Introduction to Wrongful Convictions	Discussion question
TH-July 6 <sup>th</sup>	Eyewitness Misidentification	Discussion question
F-July 7 <sup>th</sup>	Eyewitness Misidentification <i>GO OVER PROJECT GUIDELINES</i>	Friday Activity
M-July 10 <sup>th</sup>	Interrogations/Confessions	Discussion question
T-July 11 <sup>th</sup>	Interrogations/Confessions	Discussion question
		<b>Quiz 1 Due Thursday @ 11:59pm</b>
W-July 12 <sup>th</sup>	Guilty Pleas/Plea Bargains	Discussion question
TH-July 13 <sup>th</sup>	Guilty Pleas/Plea Bargains	Discussion question
F-July 14 <sup>th</sup>	<i>Discussion of What We Learned</i>	Friday Activity
		<b>Meet to Approve Your Case Analysis &amp; Final Paper Ideas</b>
M-July 17 <sup>th</sup>	Forensic Science Evidence	Discussion question
T-July 18 <sup>th</sup>	Forensic Science Evidence	Discussion question
W-July 19 <sup>th</sup>	Incentivized Informants	Discussion question
TH-July 20 <sup>th</sup>	Incentivized Informants	Discussion question
		<b>Quiz 2 Due by Saturday @ 11:59 pm</b>
F-July 21 <sup>st</sup>	<i>Discussion of What We Learned</i>	Friday Activity
M-July 24 <sup>th</sup>	Prosecutors/Gov. Actors	Discussion question
T-July 25 <sup>th</sup>	Prosecutors/Gov. Actors	Discussion question
W-July 26 <sup>th</sup>	Defense Attorneys	Discussion question
TH-July 27 <sup>th</sup>	Defense Attorneys	Discussion question
F-July 28 <sup>th</sup>	<i>Discussion of What We Learned</i>	Friday Activity
M-July 31 <sup>st</sup>	No Crime Cases	Discussion question
T-Aug 1 <sup>st</sup>	No Crime Cases	Discussion question
W-Aug 2 <sup>nd</sup>	Alibis	Discussion question
TH-Aug 3 <sup>rd</sup>	Alibis	Discussion question
		<b>Quiz 3 Due by Saturday @ 11:59 pm</b>
F-Aug 4 <sup>th</sup>	<i>Discussion of What We Learned</i>	Friday Activity GatorEval opens tomorrow

		<b>FINAL PROJECT AND CASE ANALYSIS DUE!</b>
M-Aug 7 <sup>th</sup>	Life After Exoneration	Discussion question
T-Aug 8 <sup>th</sup>	Life After Exoneration	Discussion question
W-Aug 9 <sup>th</sup>	Societal Consequences	Discussion question
TH-Aug 10 <sup>th</sup>	Societal Consequences	Discussion question
F-Aug 11 <sup>th</sup>	<i>Final Meeting: Free Day to Discuss Any and All Things Wrongful Conviction</i>	Friday Activity  <b>Quiz 4 Due by 11:59 pm TONIGHT</b>

**Make-up Work Policy:**

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.

**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. But hostility, disruptive and 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.

**Cheating:**

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.

### **The Honor Pledge:**

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."

### **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 (352-392-8565, [www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) by providing appropriate documentation. Once registered, a student should present his/her accommodation letter to me supporting a request for accommodations. The University encourages students with disabilities to follow these procedures as early as possible within the semester.

### **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/>.

### **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 and Wellness:**

*U Matter, We Care:* If you or someone you know is in distress, please contact [umatter@ufl.edu](mailto: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](mailto: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](#).