

San José State University
CASA/Justice Studies
JS 130, Sexuality & Justice, Section 1, Fall, 2016

Course and Contact Information

Instructor:	Edith Kinney, J.D., Ph.D.
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Office Hours:	Tuesday / Thursday, 2-3 and virtual-office hours by appointment
Class Days/Time:	Tuesday / Thursday, 12:00 – 1:15 p.m.
Classroom:	Boccardo Business Center 108
Prerequisites:	100W

Course Web Page and MYSJSU Messaging

Course materials such as syllabus, handouts, notes, assignment instructions, etc. can be found on [Canvas Learning Management System course login website](#) at <http://sjsu.instructure.com>. You are responsible for regularly checking with the messaging system through [MySJSU](#) at <http://my.sjsu.edu> (or other communication system as indicated by the instructor) to learn of any updates.

Course Description

JS130 surveys the relationship between sexuality and social and criminal justice. Students explore the nature and extent of sexual offenses against adults and children. A critical examination of recent public policies aimed at managing sexual aggression is included.

Students in JS 130 examine legal cases, empirical research, and advocacy materials to explore how socially constructed norms shape the legal regulation of sexuality and sexual behavior, and how various elements of sex and sexuality have been criminalized, policed, and governed. We will critically examine how different populations engage the criminal justice system as offenders, victims and survivors of sexual violence, law enforcement, and treatment professionals.

Course Learning Outcomes (CLOs)

Upon successful completion of this course, students will be able to:

CLO 1: Demonstrate an understanding of how sex and sexuality intersects with and is treated by various institutions of social and criminal justice.

CLO 2: Demonstrate an empirical understanding of the nature and extent of sexual offenses against adults and children.

CLO 3: Demonstrate an understanding of various pieces of sex or sexuality related legislation and public policies surrounding sexual offending.

CLO 4: Think critically about these issues and produce detailed, scholarly, and objective assessments that demonstrate their ability to conduct independent research and justify their perspective.

CLO 5: Demonstrate their knowledge and familiarity with the material during class by contributing meaningfully and respectfully to class discussions.

CLO 6: Students should read, write, and contribute to discussion at a skilled and capable level.

Required Texts and Readings

Lutnick, A. (2016) *Domestic Minor Sex Trafficking: Beyond victims and villains*. New York: Columbia University Press.

Additional articles and readings will be posted on Canvas.

Technology Requirements

Students will need access to the Internet to complete readings and activities online, and to submit assignments and exams on the course website on Canvas. Students may use electronic devices in class to access readings, but must stay on task; students using computers and electronic devices during class will be “on call” to respond to questions.

Library Liaison

For help with library resources and library research (including the use of databases and online research materials—such as journal search engines), students are strongly encouraged to contact the Justice Studies Library Liaison **Silke Higgins**, MLIS, Academic Liaison Librarian
4th Floor, King Library / Phone: 408-808-2118 / Email: silke.higgins@sjsu.edu

Course Requirements and Assignments

A student’s final grade is based on completion of several assignments and activities, including written assignments, in-class discussion and presentation, and online activities. Evaluation shall consist of Canvas Discussions / Activity Posts (15%), Quizzes on readings and current events discussed in class (5%), a Law in Action Research Paper Project (25%), a Midterm Exam (25%), a Final Exam (25%), and Participation in class and online activities (5%). Examinations consist of multiple choice, definition, short answer and essay questions derived from the reading assignments, online activities, and class lecture.

Missed exams or assignments may only be made-up with proper documentation of illness, incapacity and/or prior and valid notification and reason for absence.

Final Examination or Evaluation

The final exam will be comprehensive, and will include multiple choice, definitions, and essay answers. The final exam is scheduled for Monday, December 19 from 2:45 – 5:00 p.m.

Determination of Grades

Writing assignments will be graded on a 100-point scale and evaluated on content, clarity, and thoroughness. See Canvas for a detailed rubric and writing resources. Students must submit all assignments online at the Canvas website. Grades are determined based on exams, written assignments, research project, and participation. Students should read and follow instructions carefully, and review/edit assignments. Points will be deducted for

incorrect grammar and spelling. Late work will not be accepted unless the student has made prior arrangements with the professor, or in cases of documented emergency.

Each assignment/exam shall consist of 100 points and weighted as follows:

Grade Item	Weight
Canvas Discussion / Activity Posts (CLOs 1-4, 6)	15%
Quizzes (CLOs 1-4)	5%
Law in Action Research Paper Project (CLOs 1-6)	25%
Midterm Examination (CLOs 1-4, 6)	25%
Participation in Class and Online Activities (CLOs 5-6)	5%
Final Examination (CLOs 1-4, 6)	25%
Total	100%

Canvas Discussion / Activity Posts (15% of final grade)

Canvas Discussion / Activity Posts allow students to explore case studies, current events, documentaries, investigations, and debates in the field of Sexuality & Justice. Students should review the materials and provide original analysis in a post that links the issues to course readings and discussion themes. Students must complete at least three Canvas Discussion posts.

Quizzes (5% of final grade)

Students are expected to complete readings before the class session indicated on the course schedule. Students should come to class prepared to discuss the assigned readings such that class time is not wasted, and we can engage the material together. Though readings are not a graded assignment per se, prepare for quizzes on assigned reading, including True/False, matching, multiple choice, or short answers.

Law in Action Research Paper Project (25% of final grade)

Students are required to write a original 10-12 page research paper that addresses an issue of your choosing (in consultation with the professor) related to sexuality and justice. Papers will be evaluated based on the quality and organization of their writing, as well as evidence of substantial effort to edit and respond to feedback. Review the writing guidelines and rubric available on Canvas. This assignment observes that writing is a process; to complete the research paper, students will submit the following: (1) Abstract and Paper Proposal (2) An outline of your paper, along with a reference list of at least three empirical, peer reviewed journal articles that you intend to use in your paper (3) A peer review will be conducted on a rough draft of your paper (4) The final paper, incorporating responses to the peer review and feedback.

Midterm Examination (25% of final grade)

Students' grasp of readings and course material will be assessed by a midterm examination comprised of multiple choice, definitions, short answer, and essay-style questions. More information and guidance on how to best review for the exam will be provided in class.

Participation (5% of final grade)

Critical reading, thinking, and writing involve a number of practical skills. These skills must be practiced to be developed and maintained. Students are expected to keep up with class reading, and to attend all class meetings well prepared to contribute to the classroom exchange of ideas and information. Active participation (both in class and online) is essential in order to succeed in JS 130.

Final Examination (25% of final grade)

The final examination will be comprehensive, and will assess students' ability to understand, analyze, and apply concepts from readings and activities covered throughout the course. The final exam will be comprised of multiple choice, definitions, short answer, and essay-style questions. The final exam is scheduled on Monday, December 19 from 2:45-5:00 p.m.

Extra Credit

Extra credit opportunities, including lectures, films, workshops, and on- and off-campus opportunities will be announced throughout the semester in class and via email. Check our course Canvas website for updates. To receive extra participation credit, students must write a 1-2 page reflection paper relating the event / activity to course themes. Upload extra credit submissions to Canvas before the last day of instruction.

Grading Information

This course will be using the +/- system on final grades based on the following percentages:

98-100:	A+	77-79:	C+
94-97:	A	74-76:	C
90-93:	A-	70-73:	C-
87-89:	B+	67-69:	D+
84-86:	B	64-66:	D
80-83:	B-	60-63:	D-
		0-59:	F

A "C" or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major.

SJSU Workload Expectations

SJSU classes are designed such that in order to be successful, it is expected that students will spend a minimum of forty-five hours for each unit of credit (normally *three hours per unit per week*), including preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in [University Policy S12-3](http://www.sjsu.edu/senate/docs/S12-3.pdf) at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

Academic Integrity and Plagiarism

Students should review SJSU's **Academic Integrity** policy:

www.sjsu.edu/studentconduct/docs/Academic_Integrity_Policy_S07-2.pdf

Your own commitment to learning, as evidenced by your enrollment at San Jose State University and the University's integrity policy, require you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development.

The University will not tolerate instances of academic dishonesty. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. Students must complete all assignments unless otherwise specified. If you would like to include in your assignment any material you have previously submitted for credit, or plan to submit for another class, please note that the SJSU Academic Policy F06-1 requires approval of instructors.

Classroom Protocol

1. This course depends on participation, discussion, and interaction. Students are expected to be on time to class out of respect for your colleagues and instructor. Prepare for class to ensure you can contribute to discussion and debate.
2. Please turn off/mute all cell phones and other devices. Computers and electronic devices may only be used for note taking and accessing electronic readings. Students using electronic devices will be “on call” to answer questions and look up pertinent research questions online.
3. All classroom participants are expected to foster an environment that encourages participation, rather than silencing others (be respectful to one another, do not insult or intimidate others, evaluate alternative views with an open mind). We will discuss ground rules and develop classroom standards of conduct at the beginning of the semester.
4. Students are expected to complete all readings and assignments by the dates indicated on the syllabus. Be sure to check the course Canvas website regularly for updates.
5. Students are responsible for any and all notes and materials missed in their absence.
6. Readings about sexuality and justice can be challenging intellectually, personally, and emotionally. All students are encouraged to engage in self-care. This means that if particular topics or course materials raise emotional or other personal issues, you can simply choose not to speak or to leave the room without being questioned or penalized. Should you have any questions or concerns, free to contact the professor in person or anonymously (e.g., a note slipped under Dr. Kinney’s office door of 525A MacQuarrie Hall).

If you or a friend is in need of emotional support, please visit SJSU’s Counseling and Psychological Services (CAPS) www.sjsu.edu/counseling service. Phone: (408) 924-5910. Location: Student Wellness Center, Room 300.

Additional confidential services include:

Next Door: (408) 279-2962, www.nextdoor.org, 234 E. Gish Road, Suite 200, San José CA 95112;

YWCA Silicon Valley: 24 Hour Domestic Violence and Sexual Assault Support Hotline, (408) 295-4011, www.ywca-sv.org, 375 S. Third Street, San José, CA 95112

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs’ [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>”

Consent for Recording of Class and Public Sharing of Instructor Material

[University Policy S12-7](http://www.sjsu.edu/senate/docs/S12-7.pdf), <http://www.sjsu.edu/senate/docs/S12-7.pdf>, requires students to obtain instructor’s permission to record the course and the following items to be included in the syllabus:

“Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor’s written/emailed permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.”

In classes where active participation of students or guests may be on the recording, permission of those students or guests should be obtained as well.

“Course material developed by the instructor is the intellectual property of the instructor and cannot be shared publicly without his/her approval. You may not publicly share or upload instructor generated material for this course such as exam questions, lecture notes, or homework solutions without instructor consent.”

Department’s Reading and Writing Philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program, but also over the span of a lifetime.

SJSU Writing Center

The SJSU Writing Center is located in Clark Hall, Suite 126. All Writing Specialists have gone through a rigorous hiring process, and they are well trained to assist all students at all levels within all disciplines to become better writers. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment or to refer to the numerous online resources offered through the Writing Center, visit the [Writing Center website](http://www.sjsu.edu/writingcenter) at <http://www.sjsu.edu/writingcenter>. For additional resources and updated information, follow the Writing Center on Twitter and become a fan of the SJSU Writing Center on Facebook.

JS 130 / Sexuality & Justice, Fall 2016, Course Schedule

The Course Schedule is subject to change with fair notice; check Canvas regularly for updates to readings, assignments, and extra credit opportunities. Students will help determine course topics.

Course Schedule

Week	Date	Topics, Readings, Assignments, Deadlines
1	Thursday 8/25	<p>Introductions: Course overview, class contract; introduction to the study of law, gender, sex, and sexuality and the justice system.</p> <p>Video Assignment: Watch “The History of Sex: The 20th Century,” https://www.youtube.com/watch?v=-bfj05HUN3o</p>
2	Tuesday 8/30	<p>Readings: United States Constitution and Bill of Rights</p> <p>Bartlett & Rhode, <i>Gender, Law & Policy</i>, “Formal Equality” (1-9) Cases: <i>Bradwell v. Illinois</i>, 83 U.S. 130 (1872); <i>Muller v. Oregon</i>, 208 U.S. 412 (1908).</p> <p>Discussion Topics: <i>How to read legal cases; Historical Foundations; Sex, Gender, and Inequality; Introduction to the Legal Process</i></p>
3	Thursday 9/1	<p>In-Class Video and Discussion: Frontline, <i>The Confessions</i></p> <p>Assignment: Canvas Discussion on <i>The Confessions</i> due online before 9/6 class</p>
3	Tuesday 9/6	<p>Readings: Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i> (Ch. 1).</p> <p>Discussion Topics: <i>Terminology; Introduction to Sexuality Studies; Overview of Justice Systems; Affirmative Consent</i></p>
4	Thursday 9/8	<p>Readings: Domestic Violence and Intimate Partner Violence (Canvas)</p> <p>Laura Beth Nielsen, “Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment,” 34 <i>LAW & SOCIETY REVIEW</i>, 1055 – 1089 (2000) (excerpts)</p>

Week	Date	Topics, Readings, Assignments, Deadlines
		<p>Lecture & Discussion Topics: <i>Public sphere v. private sphere; public and private violence, intimate partner violence, street harassment, bystander intervention</i></p>
4	Tuesday 9/13	<p>Readings: Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i>, Ch. 9, Marriage, Sexuality, and Gender</p> <p>Lecture & Discussion Topics: <i>Changing conceptions of “sexual deviance,” cultural and historical construction of sex, sexuality, reproduction and marriage; historic norms and legal approaches to sex and gender regulation</i></p>
5	Thursday 9/15	<p>Constitution Day Activity: Sexuality and Justice at the U.S. Supreme Court</p> <p>Canvas: Overview of the U.S. Legal System ; Social Movements and Legal Mobilization</p>
5	Tuesday 9/20	<p>Reading: Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i> (Ch. 6), Criminal Regulation of Sex Acts: The Limits of Morality and Consent</p> <p>Library Day with Silke Higgins: Researching Sexuality and Justice Meet in MLK Library 213</p> <p>Assignment: Complete legal research and academic journal research for Paper Proposal due Tuesday 9/27</p>
6	Thursday 9/22	<p>Commercial Sexual Exploitation and Child Pornography Readings TBA (Canvas)</p>
6	Tuesday 9/27	<p>Assignment Paper Proposal Due (post to Canvas before class begins)</p> <p>Sex Trafficking: International Contexts Kinney. (2014) “Raids, Rescues and Resistance: Women’s Rights and Thailand’s Response to Human Trafficking,” Ch. 7 in <i>Negotiating Sex Work</i>.</p> <p>Noy Thrupkaew, Sept. 16, 2009, “The Crusade Against Sex Trafficking,” http://www.thenation.com/article/crusade-against-sex-trafficking#</p> <p>Empower (2012) <i>Hit and Run</i> Report (read pgs. 10-22, skim and read a few migration stories (p 22-36), read 37-48, skim laws from 48-53) (Canvas)</p>

Week	Date	Topics, Readings, Assignments, Deadlines
		Video: <i>The Last Rescue in Siam</i> : http://www.empowerfoundation.org/sexy_en.php#
7	Thursday 9/29	Prostitution Historical Approaches Lucas, A. (1995) "Race, Class, Gender, and Deviancy: The Criminalization of Prostitution" The Regulation of Sex Work and Sex Workers Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i> , (Ch. 7) (excerpts) Pornography, Prostitution, and Sex Trafficking: Radical Feminist and "New Abolitionist" Approaches Advocacy articles, speeches, readings, and web activities on Canvas
7	Tuesday 10/4	Sex Workers' Rights, Harm Reduction Policies Decriminalization of Prostitution Advocacy articles, speeches, readings, and web activities on Canvas
8	Thursday 10/6	Quiz Class Debate: Should Prostitution Be a Crime?
8	Tuesday 10/11	Rape and Related Offenses Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i> , (Ch. 5).
9	Thursday 10/13	Sexual Harassment and Sexual Assault on Campus Readings and Training on Canvas
9	Tuesday 10/18	Sex Offenders and Sex Offender Policies Fradella & Sumner, Eds. (2016) <i>Sex, Sexuality, Law, and (In)justice</i> , (Ch. 10, Ch. 12 (excerpts)).
10	Thursday 10/20	Unintended Consequences of Sex Offender Policies Pittman, "Injustice: How the Sex Offender Registry Destroys LGBT Rights" http://www.advocate.com/commentary/2016/8/05/injustice-how-sex-offender-registry-destroys-lgbtq-rights Reform Sex Offender Laws, advocacy materials and legal briefs (Canvas)
10	Tuesday 10/25	Library Event Documentary and Discussion: Migrant Workers, Sexual Harassment, and Sexual Violence Immigration Relief for victims of crime, violence and trafficking: U-Visas, T-Visas, asylum

Week	Date	Topics, Readings, Assignments, Deadlines
		Frontline, <i>Rape in the Fields</i>
11	Thursday 10/27	Midterm Examination
11	Tuesday 11/1	Sex and Sexual Assault in Correctional Settings Prison Rape Elimination Act Borchet, J. (2016). Controlling Consensual Sex Among Prisoners, <i>Law & Social Inquiry</i> , 41(3) (595-615). NPR, "California Prisons Aim To Keep Sex Between Inmates Safe, If Illegal," Jan. 21, 2015
12	Thursday 11/3	Sexual Privacy and LGBT Rights in the Courts Class Activity: LGBTQI Rights in Context (Canvas)
12	Tuesday 11/8	Lutnick, <i>Domestic Minor Sex Trafficking</i>
13	Thursday 11/10	Lutnick, <i>Domestic Minor Sex Trafficking</i> Clark, "There is No Such Thing As a Child Prostitute," <i>East Bay Express</i> , July 02, 2014, http://www.eastbayexpress.com/oakland/there-is-no-such-thing-as-a-child-prostitute/Content?oid=3998333
13	Tuesday 11/15	Lutnick, <i>Domestic Minor Sex Trafficking</i>
14	Thursday 11/17	<i>Very Young Girls</i> Activity
14	Tuesday 11/22	Social Problems, Therapeutic Justice, and Collaborative Courts Shdaimah and Leon. (2012) "JUSTifying Scrutiny: State Power in Prostitution Diversion Programs"
15	Thursday 11/24	Thanksgiving Break
15	Tuesday 11/29	Governing Sex, Sexuality, and Sexual Communities: BDSM and Polyamory Canvas readings and activity
16	Thursday 12/1	Student Presentations

Week	Date	Topics, Readings, Assignments, Deadlines
16	Tuesday 12/6	Student Presentations
17	Thursday 12/8	Conclusions and Final Review
Final Exam	Monday 12/9	Final Exam 2:45 – 5:00 p.m.