

San José State University
Department of Justice Studies
JS010 Section 1, Introduction to Justice Studies, Fall 2018

Course and Contact Information

| | |
|-------------------------|---|
| Instructor: | Louise Buckingham |
| Office Location: | MacQuarrie Hall (MH) 508 |
| Email: | Louise.Buckingham@sjsu.edu |
| Office Hours: | Mondays/Wednesdays 11:45 AM – 12:45 PM; Email –any time |
| Class Days/Time: | Monday/Wednesday 1:30 PM – 2:45 PM |
| Classroom: | MH 523 |

Course Description

Historical and philosophical development of the justice system. Description, analysis and evaluation of criminal justice agencies. Relationship between theory and practice.

Note: Must achieve a grade of "C" or higher to fulfil Justice Studies major requirements

Grading

Normal Grade Rules

Units

3

Department of Justice Studies 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.

This course must be passed with a C or better as an SJSU graduation requirement.

Course Goals and Learning Outcomes (CLOs)

Specific Substantive Course Goals

In understanding the historical and philosophical development of the justice system, students will ultimately be better equipped to evaluate and productively and constructively analyze and critique current justice systems' frameworks. Via exposure to and consideration of a wide range of relevant and topical sources, students will be in a position to question what is meant by 'justice', and empowered to engage with and advocate for improvements within rules, institutions, agencies and academia.

Course Learning Outcomes (CLOs)

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

CLO 1: Provide an introduction of the characteristics, structure, and processes of justice system operations in the United States (U.S.).

CLO 2: Explain criminology, criminal law, criminal statistics, and constitutional criminal procedure as it relates to practices within the justice system.

CLO 3: Describe and discuss the purpose, functions, critical issues, and societal interactions of the three major components of the justice system, which includes the police, courts, and corrections.

Required Texts/Readings

A major reading for each 'section' will be available online (in some cases, as listed) within the corresponding topic and week in the schedule, and below; this major reading will form the basis of class preparation and discussion.

In addition, topical materials will be posted on Canvas regularly and/or provided in class for in-person and/or online individual or group exercises from time to time. It is *recommended* but not required that students borrow, rent or buy the following textbook (2nd or 3rd edition), available in the library, in online stores, and at the Spartan bookstore (and instructor's copy will be in class each lesson and available for copying of set chapters from time to time). A list of additional recommended works will be provided on Canvas and in class during week 3. This list is geared towards research assignments however it will be of general interest and use too. Students will be provided with a copy of any section, chapter or the entirety of any work that is required or that will be assessed against in an assignment (for instance, if something is important for the final exam). Furthermore, such material will be covered thoroughly in class; thus, attendance in class is the most 'sure fire' way of ensuring you are as prepared for assignments/assessments as possible!

Major readings:

Part 1: Theories of justice (historical and philosophical underpinnings)

Robert S. Summers, "Professor H.L.A. Hart's Concept of Law", Cornell Law Faculty Publications, (<https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=2412&context=facpub>) (print out provided in class)

Marshall Cohen, "The social contract explained and defended", *The New York Times* July 16, 1972 (<https://www.nytimes.com/1972/07/16/archives/a-theory-of-justice-by-john-rawls-607-pp-cambridge-mass-the-belknap.html>) (print out provided in class)

Thought/study prompts:

- What do we mean by 'justice'?
- Justice for whom?
- Where do ideas about how to achieve justice in the U.S. come from?

Part 2: Enforcement (criminal law, prisons and policing)

Olivia B. Waxman, "How The U.S. Got Its Police Force", *Time*, History/Society (Updated May 2017) (<http://time.com/4779112/police-history-origins/>) (print out provided in class)

Jonathan Capehart, "Millions are caught up in America's criminal-justice system 'because they're poor'", *Washington Post*, 21 August 2018

https://www.washingtonpost.com/blogs/post-partisan/wp/2018/08/21/millions-are-caught-up-in-americas-criminal-justice-system-because-theyre-poor/?utm_term=.76abec43484c

Eric Schlosser, "The Prison-Industrial Complex", *The Atlantic*, December 1998 Issue

(<https://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/304669/>) (print out provided in class)

Thought/study prompts:

- Where does modern U.S. policing come from?
- What is the role of police?
- What is criminality?
- Are prisons effective?

Additional reading suggestions for Part 2

- The Stanford Prison Experiment:

<http://www.prisonexp.org>

- California Department of Justice, Law Enforcement Policy & Procedures Manual, March 2015

<https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/doj-law-enforce-policy-procedures-manual.pdf>

- United States Courts, 'Court Shorts: Right to Counsel' (<https://youtu.be/CKQM52VAX6w>)

Part 3: U.S. Legal System – Administration (agencies and courts)

United States Department of Justice, Offices of the United States Attorneys, 'Introduction To The Federal Court System' (<https://www.justice.gov/usao/justice-101/federal-courts>)

United States Courts, Court Role and Structure (<http://www.uscourts.gov/about-federal-courts/court-role-and-structure>)

United States Courts, 'Knowledge Seminar: An Inside Look at Federal Appellate Courts' (<https://youtu.be/aC6dXDsgwsg>), and 'Court Shorts: An Impartial Federal Judiciary' (<https://youtu.be/AlOlIm4-wnE>)

Thought/study prompts:

- How is the U.S. legal system's administration organized, broadly?
- What is criminality?
- Are prisons effective?

Part 4: Justice movements

Keith A. Findley, "Toward a New Paradigm of Criminal Justice: How the Innocence Movement Merges Crime Control and Due Process", *Texas Tech Law Review*, January 2009; University of Wisconsin Legal Studies Research Paper No. 1069. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1324660 (SSRN is a useful resource for you to become familiar with using and accessing. Note that this link will bring you to the abstract of this article and that you need to click on the orange 'download' button for the full version of the paper. I will have a couple of copies with me in the relevant class).

Black Lives Matter (<https://blacklivesmatter.com/about/>)

Thought/study prompts:

- Which are the most effective major justice movements of our time?
- What is 'justice' and to whom does, and should, it extend?

Additional reading suggestions for Part 4

Angela Davis, *Freedom is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement*, Haymarket Books, Chicago, 2016

ISBN: 978-1-60846-564-4

Recommended Textbook

Peak & Madensen, *Introduction to Criminal Justice: Practice and Process*, Sage Press, 2018 (3rd Ed)*

ISBN: 978-1-5063-9184-7

*2nd Ed is okay too (It's the 2nd Ed. I'll be bringing to class).

Library Liaison

Silke Higgins, silke.higgins@sjsu.edu, (408) 808-2118, <http://libguides.sjsu.edu/justicestudies> Students are strongly encouraged to contact their library liaison for individual help with their research.

Course Requirements and Assignments

As mentioned above, a major reading for each 'part' is available online as listed; this major reading will form the basis of class preparation and discussion. In addition, topical materials will be posted on Canvas regularly. Your active engagement in class is essential.

Scholarly and professional articles and reports from a range of 'justice studies' perspectives will also be provided in class from time to time. Students must bring paper to each class, and be prepared to write, listen, speak and engage with materials both during class and on Canvas as required. Whilst not all activities are assignments (graded) all tasks are required; completing them as instructed is the only way to ensure you are completely 'on top' of materials and content for the course.

In addition to the requirement that students actively participate in every class, there are 4 major assessment components (assignments) in this course:

- Major reading assignments (4 in total, 1 per section). Instructions to be issued in class and on Canvas. Depending on the development of students' strengths throughout the course, these are likely to be a mix of oral and written assignments, each based on the major reading for the relevant section (5% each, 20% total aligned with CLO 2 and CLO 3.)
- Major research paper, set question issued in week 7 (10/01) and due no later than our final class (20%, aligned with CLO1; CLO 2; CLO 3.)
- Midterm quiz, based on major readings, additional materials and class tasks and discussions held up to that point, week 10 (20% aligned with CLO 1, CLO 3.)
- Final exam, per SJSU schedule, open book, 1.5 hours' in classroom environment, covering entire term (20%, aligned with CLO 1; CLO 2; CLO 3.)

Details for each assignment will be discussed in class extensively and posted on Canvas. Due dates are listed in the course schedule and subject to change with fair notice. Email me at any time with any concerns you have about your assignments. Sooner is always best!

Grading Information

We will discuss grading in class prior to every assignment. Students are encouraged to ask questions to ensure they understand expectations. Rubrics will be provided on Canvas or in class for every assignment.

Determination of Grades

Grades will be used along with substantive feedback to indicate students' performance in a variety of tasks. Exams and final grades will be calculated as a percentage on a typical "100 point scale." Missing, late, or plagiarized work will be given a grade of zero. Contact me early if you are having difficulty completing assignments or need accommodations for disabilities or absences for religious holidays.

The final course grade will be calculated based on the following standard scale:

98-100 A+
94-97 A
90-93 A-
88-89 B+
84-87 B
80-83 B-
78-79 C+
74-77 C
70-73 C-
68-69 D+
64-67 D
60-63 D-
<60 F

Please note, a "C" or higher is required to receive credit for this course toward a Justice Studies or Forensic Science Major. Passage of the Writing Skills Test (WST) or ENGL/LLD 100A with a C or better (C- not accepted), and completion of Core General Education are prerequisite to all SJSU Studies courses. Completion of, or co-registration in, 100W is strongly recommended. A minimum aggregate GPA of 2.0 in GE Areas R, S, & V shall be required of all students.

Classroom Protocol

Students are expected to attend all classes and to participate in all discussions, debates and activities in a respectful and mindful manner. Specifically:

1. Students are expected to deposit/submit assignments and discussion posts to our online class on time, prepared to take part in their own and collective learning.
2. All classroom participants are expected to foster an environment that encourages participation, and that is respectful to others and their opinions.
3. Students are expected to complete graded assignments by the time indicated in this syllabus. Late assignments will not be graded.
4. Students are responsible for making up material missed in their absence on their own.
5. Students must complete all tasks given, regardless of whether or not they are assessable (assignments); even non-assignment work will form a building block of knowledge that is essential to your understanding of materials and the course overall.
6. Students may not record lectures or class discussions without explicit, direct prior consent of all relevant persons.

While an emergency personal or health related situation appropriately verified (for instance, a doctor's certificate in the case of illness), will be grounds for a student making up missed work or assignments without penalty, in no other circumstances will making up missed tasks be allowed. With regard to any

unavoidable missed classes, it is incumbent upon students themselves to 'catch up' in terms of content and materials.

Email and Canvas communications

To ensure confidentiality, instructors are required to communicate with you using only your university account. Please therefore ensure your university account is functioning. You are encouraged to check your university email and Canvas regularly.

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/>

CASA Student Success Center

The Student Success Center in the College of Applied Sciences and Arts (CASA) provides advising for undergraduate students majoring or wanting to major in programs offered in CASA Departments and Schools. All CASA students and students who would like to be in CASA are invited to stop by the Center for general education advising, help with changing majors, academic policy related questions, meeting with peer advisors, and/or attending various regularly scheduled presentations and workshops. If you are looking for academic advice or even tips about how to navigate your way around SJSU, check out the CASA Student Success Center. Location: MacQuarrie Hall (MQH) 533 - top floor of MacQuarrie Hall. Contact information: [408.924.2910](tel:408.924.2910). Website: <http://www.sjsu.edu/casa/ssc/>. The CASA Student Success Center also provides study space and laptops for checkout.

JS010 Introduction to Justice Studies, Fall Semester 2018 Course Schedule

The schedule is subject to change with fair notice (in class and/or via Canvas or email).

Course Schedule

| Week | Date | Topics, Readings, Assignments, Deadlines |
|------|--------------|---|
| 1 | 08/22 | WELCOME WELCOME WELCOME!!!! Introductions and Expectations. Please be prepared to introduce yourself to me and to each other); why are you pursuing 'justice studies'?!) |
| 2 | 08/27 | Outline and structure of course (and Canvas check-in) Required reading: Syllabus During this class, we'll iron out any technical or date-based glitches that we find as we run through the syllabus. Bring your questions! |
| 2 | 08/29 | Part 1: Theories of justice (historical and philosophical underpinnings) Required readings for Part 1: Robert S. Summers, "Professor H.L.A. Hart's Concept of Law", Cornell Law Faculty Publications, (https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=2412&context=facpub) (print out provided in class 09/05) Marshall Cohen, "The social contract explained and defended", The New York Times July 16, 1972 (https://www.nytimes.com/1972/07/16/archives/a-theory-of-justice-by-john-rawls-607-pp-cambridge-mass-the-belknap.html) (print out provided in class 09/05) |
| 3 | 09/03 | LABOR DAY - CAMPUS CLOSED (NO CLASS) |
| 3 | 09/05 | Part 1: Theories of justice Class discussion |
| 4 | 09/10 | Part 1: Theories of justice Class discussion and group work (non-assignment, however, required) |
| 4 | 09/12 | Part 1: Theories of justice Likely: <i>Class assignment for Part 1</i> , questions/instructions for which will be issued and completed during class time. Worth 5% ; you will be given at least a few days' notice, please ensure you're checking Canvas! |
| 5 | 09/17 | Part 2: Enforcement (criminal law, prisons and policing) Required readings for Part 2: Olivia B. Waxman, "How The U.S. Got Its Police Force", <i>Time</i> , History/Society (Updated May 2017) http://time.com/4779112/police-history-origins/ (print out provided in class) Jonathan Capehart, "Millions are caught up in America's criminal-justice system 'because they're poor'", <i>Washington Post</i> , 21 August 2018 https://www.washingtonpost.com/blogs/post- |

| Week | Date | Topics, Readings, Assignments, Deadlines |
|------|--------------|--|
| | | <p>partisan/wp/2018/08/21/millions-are-caught-up-in-americas-criminal-justice-system-because-theyre-poor/?utm_term=.76abec43484c (copies provided in class – don't worry if you can't access here, though do let me know, please!)</p> <p>Eric Schlosser, "The Prison-Industrial Complex", <i>The Atlantic</i>, December 1998 Issue (https://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/304669/) (print out provided in class)</p> |
| 5 | 09/19 | <p>Part 2: Enforcement (criminal law, prisons and policing) Class discussion</p> |
| 6 | 09/24 | <p>Part 2: Enforcement (criminal law, prisons and policing) Group work (non-assignment, but necessary)</p> |
| 6 | 09/26 | <p>Part 2: Enforcement (criminal law, prisons and policing) Group work (non-assignment)</p> |
| 7 | 10/01 | <u>Class assignment for Part 2 (5%)</u> |
| 7 | 10/03 | <p>Part 3: U.S. Legal System – Administration (agencies and courts – nuts and bolts lecture class)</p> <p>Required readings for Part 3:</p> <p>United States Department of Justice, Offices of the United States Attorneys, 'Introduction To The Federal Court System' (https://www.justice.gov/usao/justice-101/federal-courts)</p> <p>United States Courts, Court Role and Structure (http://www.uscourts.gov/about-federal-courts/court-role-and-structure)</p> <p>United States Courts, 'Knowledge Seminar: An Inside Look at Federal Appellate Courts' (https://youtu.be/aC6dXDsgwsg), and 'Court Shorts: An Impartial Federal Judiciary' (https://youtu.be/AlOIm4-wnE)</p> |
| 8 | 10/08 | <p>Part 3: U.S. Legal System – Administration (agencies and courts) Class discussion</p> <p><u>Major paper assignment question issued in class</u></p> |
| 8 | 10/10 | <p>Part 3: U.S. Legal System – Administration (agencies and courts) Class discussion & allocation of topics for assignment for Part 3 (presentations)</p> |

| Week | Date | Topics, Readings, Assignments, Deadlines |
|------|-------|---|
| 9 | 10/15 | Part 3: U.S. Legal System – Administration (agencies and courts) Presentation preparation |
| 9 | 10/17 | Part 3: U.S. Legal System – Administration (agencies and courts) Presentation preparation |
| 10 | 10/22 | <u>MIDTERM QUIZ (20%)</u> |
| 10 | 10/24 | <u>Class assignment for Part 3 (5%)</u> |
| 11 | 10/29 | <p>Part 4: Justice movements</p> <p>Required readings for Part 4:</p> <p>Keith A. Findley, “Toward a New Paradigm of Criminal Justice: How the Innocence Movement Merges Crime Control and Due Process”, <i>Texas Tech Law Review</i>, January 2009; University of Wisconsin Legal Studies Research Paper No. 1069. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1324660 (SSRN is a useful resource for you to become familiar with using and accessing. Note that this link will bring you to the abstract of this article and that you need to click on the orange ‘download’ button for the full version of the paper. I will have a couple of copies with me in the relevant class).</p> <p>Black Lives Matter website (https://blacklivesmatter.com/about/)</p> |
| 11 | 10/31 | Part 4: Justice movements Class discussion |
| 12 | 11/05 | Part 4: Justice movements (self-directed study, instructions on Canvas) NO CLASS (Contact online via Canvas and email only) |
| 12 | 11/07 | Part 4: Justice movements (self-directed study, instructions on Canvas) NO CLASS (Contact online via Canvas and email only) |
| 13 | 11/12 | VETERAN’S DAY – CAMPUS CLOSED (NO CLASS) |
| 13 | 11/14 | <u>Class assignment for Part 4 x1 (5%)</u> |
| 14 | 11/19 | <u>Class assignment for Part 4 x2 (as above)</u> Wrap Up and Overall course summary – Q & A (focus on substance – bring reading and questions about scholarship, ideas etc.) |
| 14 | 11/21 | Non-Instructional Day (Campus open) (NO CLASS) |
| 15 | 11/26 | Course summary – Q & A (focus on form – bring questions about format of |

| Week | Date | Topics, Readings, Assignments, Deadlines |
|-------------|----------------------|---|
| | | exam, any last minute essay writing issues, due dates etc.) |
| 15 | 11/28 | Repeat: Overall course summary – Q & A (focus on substance – bring reading and questions about scholarship, ideas etc.) |
| 16 | 12/03 | Class discussion about major research papers and final exam preparation |
| Final Eval. | 12/05 – 12/10 | <u>Final paper due (20%)</u> (Final exam date TBD – per SJSU schedule) (20%) |