

San José State University
Department of Justice Studies
JS 185-05, Special Topics- Victimless Crime, Spring 2018

Instructor:	Sheree Martinek
Office Location:	MacQuarrie Hall 508
Telephone:	N/A
Email:	Sheree.Martinek@sjsu.edu
Office Hours:	Wednesdays 12:00pm- 1:15pm
Class Days/Time:	Wednesdays 3:00pm-5:45pm
Classroom:	Clark Building 306
JS Competency Area:	Area C

Course Description

Traditionally, “crimes without victims” referred to consensual, non-harmful behavior between or by adults that is subject to legal penalties or controls. At different times, this behavior is criminal, and at other times it is legal. In our society the nature and consequences of “victimless crime” has always been controversial. The following questions will be addressed and discussed during this semester: Is the behavior inherently wrong? Is the behavior morally harmful? Who does the behavior harm? Who determines the applicable standard of morality? What is the distinction between public order and private morality? Should the state intervene in issues or conduct that concerns private morality? If so, how and under what circumstances? Should our society do anything about drug or alcohol addiction, prostitution, pornography, abortion, homosexuality, gambling, and suicide? This course will explore these questions and in particular try to understand why certain behaviors are criminalized.

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

Course Goals and Student Learning Objectives

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

Course Learning Outcomes (CLO)

1. CLO 1: Understand how and why certain types of behavior are defined as criminal.
2. CLO 2: Understand the historical perspective on how the different theoretical explanations of these behaviors have changed over time.
3. CLO 3: Examine the theoretical explanations of specific criminal behaviors.
4. CLO 4: Students should read, write, and contribute to discussion at a skilled and capable level.
5. CLO 5: Evaluate the effectiveness of policies designed to inhibit participation in victimless crime.

Required Texts/Readings

Textbook

Meier, R. and Geis, G, (2006). Criminal Justice and Moral Issues. Roxbury Publishing Company.

Note: Additional readings listed in the Course Schedule will be posted on Canvas or provided a web link in the syllabus.

Canvas and Technology Requirements

This course is delivered in-person with online components through Canvas: <https://sjsu.instructure.com>. You are automatically registered with Canvas as a registered student of the course. Links for students regarding Canvas issues and questions: <http://www.sjsu.edu/at/ec/docs/CanvasStudent%20Login%20Information.pdf> and <http://www.sjsu.edu/at/ec/docs/CanvasStudentTutorial New.pdf>. Course material will be made available as needed and as determined by our collaborative determination of the needs of the class. Students are responsible for checking Canvas between classes for announcements and course content posting.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drops, academic renewal, etc. Information on add/drops are available at <http://www.sjsu.edu/advising/faq/index.htm#add>. Information about late drop is available at <http://www.sjsu.edu/aars/policies/latedrops/>. Students should be aware of the current deadlines and penalties for adding and dropping classes.

Assignments and Grading Policy

Final Paper (40 points/40% of final grade)

Students will be required to write an 8-10 page analytical research paper. The purpose of this assignment is to refine your research as well as your writing skills. You will be graded on content and format. Select a particular "victimless" crime that you are interested in studying. The Instructor must approve of the subject.

Your research paper must discuss the following issues:

1. How extensive is the conduct in society;
2. Who are the primary participants involved;
3. What do you believe is the primary motivation for the conduct?
4. Why is the conduct considered criminal, offensive or deviant?
5. What types of punishments are given for this conduct?
6. Does the punishment fit the "crime"? Justify your response.

Possible topics may include: dog fighting, ticket scalping, public urination, skateboarding on private property of a business, baby selling, burning and swapping CDs off the internet, breast-feeding in jurisdictions where banned, assisted suicide, street racing, using a fake ID, flag burning, failure to wear motorcycle helmet (in states that require them), organ selling, flashing at mardi gras celebration, use of cell phone cameras in prohibited areas, owning an exotic pet, excessive vehicle noise (from stereos or modified exhaust systems), use of steroids or other performance enhancing drugs, street racing, school prayer, bestiality, abuse of a corpse, having consensual sexual relations with a minor, using diet pills with banned substance ephedra, smoking in public building where banned, medical experiments involving animals, or voyeurism.

Important Assignment Benchmarks:

- ✓ **Week 4– 1 pt.** You must submit a brief description of your research topic (approx. 1 page).
- ✓ **Week 7– 2 pts.** You must submit an Annotated Reference list with a minimum of fifteen (15) references that you will be using to write your paper. Take advantage of all APA resources for proper citation format. Your References must be from academic/peer reviewed/scholarly journals. Books may be referenced as well. Internet sources are not generally permitted. If you are unsure if your references are appropriate, please see me before the due date.
- ✓ **Week 11- 2 pts.** You must submit a typed outline of your research paper.
 - This assignment will enhance your overall outlining skills; help you to realize the utility of this skill in relation to the comprehension of complex material, and to test your ability to work in a collaborative manner.
- ✓ **Week 13- Research Paper WORKSHOP -** A typed rough (but final) draft of your paper is due. You will need to bring in printed copies of your research paper. It should be in its 'final form'. You will join a group and share copies with the other students in the group. One copy will be given to the course instructor. Students who do not participate in the rough draft workshop and do not turn in a draft that day may lose points from the final grade for the paper. Note: these points may not be made up.
 - This assignment is designed to provide you with the opportunity to develop a well thought out and written rough draft of the research paper required for this course. Utilization of the previously completed research paper outline and critique will provide you with a solid foundation for the development of a quality paper.
 - The purpose of the writing workshop is to teach you, the student, how to read and think critically, and to communicate clearly and concisely in a professional style. This assignment is designed to provide a medium through which you can improve your research and writing skills while increasing your knowledge about the criminal justice system.
- ✓ **Week 16-** Your final paper is due.

Final Paper Presentation (10 points/ 10% of final grade)

You are required to provide a formal presentation of your final research paper. Your presentation should be approximately 10-15 minutes and allow for discussion afterwards. You should have a PowerPoint slide with no more than 5 slides. PowerPoint presentations must be emailed to me the day before you present. You will receive more direction regarding this assignment in class.

Homework Assignment #1 (10 points/ 10% of final grade)

Please answer both questions: due Week 10

(4 pages double spaced, APA format, Times New Roman, 1-inch margins)

1. Analyze the theories and explanations of why most Americans oppose the legalization of prostitution.
2. Compare and contrast the various arguments for and against pornography.

Midterm (25 points/ 25% of final grade)

The Midterm is scheduled to take place on March 21st. Students should assume that all material covered in the lectures, readings, videos, guest speakers and hand-outs will be covered on the exams unless otherwise indicated. Make-up exams will only be given in cases of documented medical emergencies or deaths in the family with written documentation of a legitimate excuse. Make-up exams will be different from the ones taken by the rest of the class. If in the unfortunate event you need to miss an exam, contact the professor immediately. The make-up exam must be taken within one week of the original exam date, with the exception of the final exam which must be taken on the date scheduled.

Class Participation (10 points total/ 10% 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 come to class prepared to discuss and critique the assigned readings. In order to participate, one must be in attendance. Participation includes but is not limited to in-class comments indicating knowledge of the subject matter, asking probing questions, and involvement in class activities **including group presentations or online discussions**. This means that assigned readings must be read and “digested” prior to each class meeting.

Lead a Group Discussion (5 points): With a partner, you will lead a group discussion. Your aim is to explore *the wider social context* of the material covered in the readings for that week. You must come to class prepared with discussion questions, but visual aides are not needed. Your purpose is not to lecture, but to assist in the fostering of a meaningful class discussion. Your grade will depend on how prepared you are and how you follow-up with student/instructor responses.

I will post grades as we go along so you can see how you are doing. The main reasons people may lose points are because you either did not respond with high quality post or you did not support your opinion. Additionally, all questions for the entire semester are already posted so there is NO excuse for not getting your responses in on time.

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

A	95-100	C	74-76
A-	90-94	C-	70-73
B+	87-89	D+	67-69
B	84-86	D	64-66
B-	80-83	D-	60-63
C+	77-79	F	0-59

PLEASE NOTE: As a Justice Studies major, you must earn a C or better in this course. If you receive a C- or lower, you will need to retake this course in order to graduate.

University Policies

Academic integrity

Students should know the University's Student Conduct Code, available at http://www.sjsu.edu/studentconduct/docs/Student_Conduct_Code.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, found at <http://www.sjsu.edu/studentconduct>.

Instances of academic dishonesty will not be tolerated. 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. For this class, all assignments are to be completed by the individual student unless otherwise specified. If you would like to include in your assignment any material you have

submitted, or plan to submit for another class, please note that SJSU's Academic Policy F06-1 requires approval of instructors.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must register with the DRC (Disability Resource Center) to establish a record of their disability.

Student Technology Resources

Computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library.

Learning Assistance Resource Center

The Learning Assistance Resource Center (LARC) is located in Room 600 in the Student Services Center. It is designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. The center provides support services, such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. The LARC website is located at <http://www.sjsu.edu/larc>.

SJSU Writing Center

The SJSU Writing Center is located in Room 126 in Clark Hall. It is staffed by professional instructors and upper-division or graduate-level writing specialists from each of the seven SJSU colleges. Our writing specialists have met a rigorous GPA requirement, and they are well trained to assist all students at all levels within all disciplines to become better writers. The Writing Center website is located at <http://www.sjsu.edu/writingcenter>.

Peer Mentor Center

The Peer Mentor Center is located on the 1st floor of Clark Hall in the Academic Success Center. The Peer Mentor Center is staffed with Peer Mentors who excel in helping students manage university life, tackling problems that range from academic challenges to interpersonal struggles. On the road to graduation, Peer Mentors are navigators, offering "roadside assistance" to peers who feel a bit lost or simply need help mapping out the locations of campus resources. Peer Mentor services are free and available on a drop –in basis, no reservation required. The Peer Mentor Center website is located at <http://www.sjsu.edu/muse/peermentor>.

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. Looking for academic advice or maybe just some tips about how to navigate your way around SJSU? Check out the CASA Student Success Center! It's also a great place to study, and you can check out laptops.

Location: MacQuarrie Hall (MH) 533 - top floor of MacQuarrie Hall. Contact information: [408.924.2910](tel:408.924.2910). Website: <http://www.sjsu.edu/casa/ssc/>.

JS 185-05, Special Topics, Spring 2018

Tentative reading assignments are listed below. However due to the length of discussions and other factors beyond my control, this schedule and readings are subject to change. You are expected to complete all readings on the day they are listed and be prepared to discuss them in class.

Week	Date	TOPIC AND ASSIGNMENTS
1	Jan. 24 th	<p style="text-align: center;">Introduction and Course Overview</p> <p>Introduction: course goals & objectives. Review syllabus. Group sign-up Participation sign-up</p>
2	Jan. 31 st	<p style="text-align: center;">What is meant by crimes without victims? Morality, Harm, and Criminal Justice</p> <p>What is meant by 'deviant behavior'? What is meant by 'victimless crimes'? Defining 'victimless crimes'.</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 1 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Ch. 1 in Becker ○ Glassner ○ Erikson ○ Moynihan
3	Feb. 7 th	<p style="text-align: center;">Prostitution/Sex Work/Sexual Deviances Part 1</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 2 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Jenness (1990) ○ Surratt, H.L., Inciardi, J.A., Kurtz, S.P., & Kiley, M.C. (2004). Sex work and drug use in a subculture of violence. <i>Crime & Delinquency</i>, 50(1), 43-59. ○ Stylianou <p>Assignments: Group 1 discussion</p>
4	Feb. 14 th	<p style="text-align: center;">Drugs</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 3 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Newcomb, M. D., Galaif, E. R., & Carmona, J. V. (2001). The drug-crime nexus in a community sample of adults. <i>Psychology of Addictive Behaviors</i>, 15(3), 185-193. <p>Assignments: Brief description of your research subject (approx. 1 page).</p>

5	Feb 21 st	<p style="text-align: center;">Drugs cont'd</p> <p>Readings</p> <ul style="list-style-type: none"> • Canvas: <ul style="list-style-type: none"> ○ Baker & Carson (1999) ○ Odabasi, M. (2014). Decriminalizing marijuana: Understanding the marijuana debate through history and policy. <i>European Scientific Journal</i>, 10(1), 45-58. <p>Assignments: Group 2 discussion</p>
6	Feb 28 th	<p style="text-align: center;">Homosexuality/Transgenderism</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 4 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Sailors, P.R. (2001). Morality and the law: Bowers and the right to privacy. <i>Sexuality and Culture</i>. 3-20. <p>In class: Movie: The Middlesex or similar</p> <p>Assignments: Group 3 discussion</p>
7	March 7 th	<p style="text-align: center;">Abortion</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 5 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Kaplan, J. (1988). Abortion as a vice crime: A "What If" story. <i>Law and Contemporary Problems</i>, 51(1), 151-179. <p>Assignments: Annotated Reference list due</p>
8	March 14 th	<p style="text-align: center;">Abortion cont'd</p> <p>Readings:</p> <ul style="list-style-type: none"> • Canvas: <ul style="list-style-type: none"> ○ Donohue, J.J. & Levitt, S.D. (2001). The Impact of Legalized Abortion on Crime. <i>The Quarterly Journal of Economics</i>, CXVI: 379-420. ○ Berk, R. A., Sorenson, S. B., Wiebe, D. J., & Upchurch, D. M. (2003). The legalization of abortion and subsequent youth homicide: A time series analysis. <i>Analyses of Social Issues and Public Policy (ASAP)</i>, 3(1), 45-64. <p>Movie: Citizen Ruth or similar</p> <p>Assignments: Group 4 discussion</p>

9	March 21 st	Midterm ☺
10	April 4 th	<p style="text-align: center;">Sexual Deviance Part 2- Pornography</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 6 in Meier & Geis • Canvas: <ul style="list-style-type: none"> ○ Fisher, W. A., & Grenier, G. (1994). Violent pornography, antiwoman thoughts, and antiwoman acts: In search of reliable effects. <i>Journal of Sex Research</i>, 31(1), 23-38. <p>Assignments: HW #1 due</p>
11	April 11 th	<p style="text-align: center;">Pornography cont'd</p> <p>Readings:</p> <ul style="list-style-type: none"> • Canvas: <ul style="list-style-type: none"> • Langevin, R. & Curnoe, S. (2004). The use of pornography during the commission of sexual offenses. <i>International Journal of Offender Therapy and Comparative Criminology</i>, 48(3): 572-586. • Attwood, F. (2005). What do people do with porn? Qualitative research into the consumption, use, and experience of pornography and other sexually explicit media. <i>Sexuality & Culture</i>, 9(2), 65-8. <p>In class: Guest Speaker</p> <p>Assignments: Final paper outline due</p>
12	April 18 th	<p style="text-align: center;">Gambling</p> <p>Readings:</p> <ul style="list-style-type: none"> • Ch. 7 in Meier & Geis • Canvas <ul style="list-style-type: none"> ○ Griffiths (2010) ○ Gambling and the Public Health, Part 1 <p>Assignments: Group 5 discussion</p>
13	April 25 th	<p style="text-align: center;">Workshop</p> <p>Final draft of paper required for participation</p>

14	May 2 nd	<p style="text-align: center;">Presentations</p> <hr/> <hr/> <hr/> <hr/> <hr/>
15	May 9 th	<p style="text-align: center;">Presentations</p> <hr/> <hr/> <hr/> <hr/> <hr/>
		Final paper due