CRIM 491 Honors Seminar
Wrongful Convictions in Virginia:
Examining Exonerations from Multiple Perspectives

CRIM 491-001; Fall 2018
Wed: 1:30—4:10pm; Innovation Hall, Rm. 316

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Office: Enterprise 352
E-mail: aredlich@gmu.edu
Telephone: 703-993-5835
Office hours: By appointment—always happy to meet

Required Readings:


2. Readings Posted on Blackboard (by assigned week)

Recommended Readings:
Students interested in further reading may consider the following resources:


Internet resources: The Internet offers many sites with a variety of legal resources, including primary legal authorities (constitutions, statutes, administrative regulations, and judicial decisions) and secondary legal authorities (law review articles, encyclopedia articles, American Law Report annotations, and others). Such
references are available, for example, at Findlaw: www.findlaw.com, and through LexisNexis, and LegalTrac. Relevant information on wrongful convictions can be found at Web sites, as well, including those of the National Registry and Exoneration (http://www.law.umich.edu/special/exoneration/Pages/about.aspx) and the Innocence Project (http://www.innocenceproject.org), which also links to many other projects and exoneree Web sites; Northwestern University’s Center on Wrongful Convictions (http://www.law.northwestern.edu/cwc/); the Justice Project (http://www.thejusticeproject.org/); and the Death Penalty Information Center (http://deathpenaltyinfo.org/).

Course Overview and Objectives

The National Registry of Exoneration (NRE) catalogs official exonerations (see http://www.law.umich.edu/special/exoneration/Pages/about.aspx). Since 1989, there have been 2,263 exonerations identified, 51 of which occurred in Virginia, to date. Just a few of their pictures are above. As defined by the NRE and in this class, a wrongful conviction is when a factually innocent person is convicted of a crime he or she did not commit; an exoneration is when this innocent person is officially cleared based on new evidence of innocence. In this first semester of the two-semester honors seminar, we will delve into these Virginia and other national exonerations, learning about the cases and aftermath, and develop research questions and studies that stem from them.

To date, much of the focus of wrongful conviction scholarship has been to identify the contributing factors that led to the wrongful conviction. Commonly, six factors are discussed: 1) false confessions; 2) eyewitness misidentifications; 3) governmental misconduct; 4) forensic science errors; 5) ineffective assistance of counsel; and 6) informants (or snitches). In this class, we will learn about these six contributing factors and others, but we will also examine wrongful convictions and exoneration from the perspectives of a variety of different actors. When an innocent person is convicted, many lives are affected—of course, the wrongly convicted person is affected, as well as his/her family and the future victims of the true perpetrator. Moreover, when an innocent person is exonerated, there are also multiple perspectives to consider. How is the victim or victim’s family affected? If there was misconduct by a forensic scientist, for example, what happens to past cases that this person worked on? How does the state or county respond? Are reforms put in place to prevent future wrongful convictions? Is the local community affected by the exoneration? And does knowledge of the exoneration influence other attitudes and aspect of the criminal justice system. In short, there are myriad perspectives to consider from when wrongful convictions and exoneration occur—this is the planned main focus of this honors seminar.

Course Activities

In the first semester of the course, students will learn about the contributing factors to wrongful convictions and exonerations, and about the aftermath of these occurrences. Such learning will occur primarily through assigned readings, class discussions, assignments, and guest lecturers. Generally, the class will be split into
two parts: first half, learning about specific wrongful conviction topics, and the second half, developing our research questions and plans.

In the second semester, students will design and conduct their own (or group) studies using methods that best address their research questions. Such methods could include analysis of NRE data; surveys of legal actors or community members; online experiments, or others. Although to be finalized, the research studies will likely focus on the aftermath of exonerations in Virginia, from a variety of perspectives. At the conclusion of the course, students will present their work to the Criminology, Law and Society faculty, to the College of Humanities and Social Sciences, and potentially others. Students will also be encouraged to present their work to criminal justice professionals and researchers and to publish their findings.

This class is also a Students as Scholars Scholarly Inquiry course, which means that you will be learning about the process of conducting research in Criminology, Law and Society through multiple assignments. We will learn how to ask and answer worthwhile research questions using wrongful conviction cases and the academic literature. We will also concentrate on how to evaluate, integrate, and use academic literature throughout the class. Specifically, you'll meet the following learning outcomes:

- Articulate and refine a research question
- Follow ethical principles
- Apply appropriate scholarly conventions when reporting or performing (using the American Psychological Association (APA) style guide), and
- Situate the scholarly inquiry within a broader context

To find out more about Students as Scholars initiative, please go to OSCAR.gmu.edu or stop by the Office of Student Scholarship, Creative Activities, and Research.

**Course Requirements**

1. **Attendance and Class Participation (5% of final grade)**

Students *must read* the assigned material prior to each class and participate in class discussion. It is important to come to class. Attendance for each class will be taken. It is also important to participate in class and be engaged in the discussions. This class will be taught like a seminar, discussion class and less like a lecture.

Students *must* also be able to access the assigned material in class each week—either in hard-copy (printed, the textbook) form or online via Blackboard (laptop/tablet). Class meetings will focus on reading, thinking critically about, and applying the readings, as well as some new material.

Reading critically and analytically will also help you with class participation and discussion, which is expected and makes up 5% of your final grade. This 5% will be graded according to attendance (as well as arriving late and/or leaving early),
participating in class discussions, asking questions, and generally demonstrating that you have read—and absorbed—the readings.

2. **Weekly Discussion and Research Questions (20% of final grade)**

At the end of each textbook chapter, there are between 3 and 6 Discussion Questions. Beginning Sept. 5th, for each chapter assigned, you should choose **2 Discussion Questions** and answer them in full. Specifically, you should type out written answers to two questions from the assigned chapter, making sure you answer the question fully. If your chosen question has multiple sub-questions, you should make sure you answer all of the questions contained within the main question. As a rule of thumb, even if a question seems to require a yes/no answer, you should plan on providing a justification for why you believe the answer is yes or no. For example, in Chapter 1, Discussion Question 3 (2) asks, “Is either one [the list of cases in the National Registry of Exonerations or the Innocence Project] a complete listing of wrongful convictions?” If you believe the answer to be yes, discuss why one or both are complete, or if you believe the answer to be no, discuss why they are not complete.

It is difficult to say how long each answer should be but I would expect about 1-2 pages for each question. The important thing is to answer all parts of the question fully. You should also integrate the additional assigned reading in your answers, when appropriate.

**The Discussion Questions you choose should be made clear (either by the # of the question, or by re-writing the question before your answer). Also be sure to include your name, the date, and the Chapter on what you hand in.

In addition, for each assigned chapter, you should develop **2 Research Questions** that, based on the reading, you believe are in need of answering. As the semester goes by, I anticipate the research questions to become more defined and appropriate. Thus, research questions will be graded leniently in the beginning of the semester until students get a better sense of how this is done. Asking research questions is good practice for the research project(s) to be developed as part of the second semester, and a key part of the Students as Scholars Inquiry.

Discussion and Research Questions should be printed out and brought to class to be handed in to Professor Redlich. Each assignment will be scored 0 (not handed in or too late to be accepted) to 10 points. Grades will be based on comprehensiveness of answers, attention to detail (I do not like typos 😊) and effort.

3. **Presentation of Virginia Exoneration Case (15% of final grade)**

Over the course of 5 weeks, a student will present to the class a Virginia Exoneration case that corresponds to the week’s topic. As of late-August, there are 51 cases in the National Registry of Exonerations (NRE).
Selecting your case: You will use the NRE to select your case. **You must choose a case that has not already been reviewed. The number of cases for each week is listed below (as of right now). You should peruse the cases that include the specific error and choose the one that interests you the most AND that has sufficient information to present on (again, so long as no one before has presented on this case). You should google the person’s name to see if you can find additional information beyond what is in the NRE. (Some exonerations are multiple people, like the Norfolk Four—in this case you can present on the case as a whole [all four people].)

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Cases</th>
<th>Error Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 19</td>
<td>Forensic Science</td>
<td>11</td>
<td>F/MFE: False or Misleading Forensic Science</td>
</tr>
<tr>
<td>Oct. 3</td>
<td>False Guilty Pleas</td>
<td>7</td>
<td>P: Pleas (within Tags)</td>
</tr>
<tr>
<td>Oct. 10</td>
<td>Informants</td>
<td>26</td>
<td>P/FA: Perjury or False Accusation</td>
</tr>
<tr>
<td>Oct. 17</td>
<td>Official Misconduct</td>
<td>24</td>
<td>OM: Official Misconduct</td>
</tr>
</tbody>
</table>

Students should create a powerpoint or prezi presentation—approximately 20 minutes in length. Generally, you will summarize the case. More specifically, you should have slides for:

- **Who:** who is the exoneree
- **What happened?** describe the circumstances of the crime, the arrest, how the exoneree came to be suspected (if known), etc.
- **[Specific Topic]:** Although you may touch on all the errors in the case, be sure to focus on the specific error for that week (for example, if you present on 10/10, discuss the details of the informant/snitch). **Be sure to discuss here how the details of your presented case are or are not consistent with what you read about in the textbook.
- **Discussion questions for the class that you generate based on the case and/or specific topic.** **Not yes/no questions, but those that will generate discussion**

4. **IRB Training and Project Submission (20% of final grade)**

This portion of your grade is made up of two parts. First, students will complete the CITI- human subjects’ training. You will need to complete the Basic Course and print out the completed certificate for your grade. This is due on Sept. 12. The instructions and link to the CITI website are here: https://oria.gmu.edu/research-with-humans-or-animals/institutional-review-board/human-subjects-training/

Second, students will either develop an individual or a group IRB proposal, depending upon the project(s) that is/are developed. An IRB application requires specific forms, but also, depending on the research, informed consent forms, questionnaires/surveys/etc., recruitment scripts, debriefing scripts, etc. Professor Redlich will submit the materials formally (through irbnet.org) but students are responsible for drafting the materials and for revising based on feedback from Prof. Redlich. With IRB approval in hand, we will be able to conduct the research in the
spring semester, as well as analyze the results and develop presentations. The specific due date will vary depending on the project, but the proposal should be finalized and submitted by the end of the fall semester.

5. Research Proposal (40% of final grade)

This semester will culminate with the production of a written research proposal (no more than 10 pages, along with a References section in APA format) that you will turn in by December 12. The proposal will include your research question, background literature, and planned methodology for studying the question. This proposal will form the basis for your participation in CRIM 492 in the Spring 2019 semester. This assignment will be discussed and refined as the semester progresses.

Grades
The course components (attendance/participation; discussion and research questions; presentation; IRB assignments; and research proposal) will be weighted as described above to determine your final grade, which will be assigned according to the following scale:

- **A+** 97-100% (4.0)
- **A** 93-96% (4.0) outstanding
- **A-** 90-92% (3.67)
- **B+** 87-89% (3.33)
- **B** 83-86% (3.0) good
- **B-** 80-82% (2.67)
- **C+** 77-79% (2.33)
- **C** 73-76% (2.0) average
- **C-** 70-72% (1.67)
- **D** 60-69% (1.0) marginal
- **F** 0-59% (0) failing

Policies
**Students must use their MasonLive email account to receive University information, including messages related to this class.**

Student Comportment
To be courteous to others, please be on time to class and treat others with respect during class discussions (e.g., no cell phones; side conversations; early departures). Please be on time. Late arrivals are distracting, and if frequent, will not be accepted (i.e., you will not be allowed to attend class that day). 

*Regarding electronic devices (such as laptops, cell phones, etc.), please be respectful of your peers and your instructor and do not engage in activities that are unrelated to class. Such disruptions show a lack of professionalism and may affect your participation grade. You may use electronic devices to access the readings.*

Incompletes
Incompletes will not be given in this course except under rare circumstances that require documentation and adherence to University policies.
Academic Code
The GMU academic honor code can be found here:  http://oai.gmu.edu/the-mason-honor-code-2/. The code outlines proscribed conduct with regards to cheating and plagiarism. Please note that cheating or plagiarism in this class will result in appropriate penalties that may include failing the course. Three fundamental and rather simple principles to follow at all times are that: (1) all work submitted be your own; (2) when using the work or ideas of others, including fellow students, give full credit through accurate citations; and (3) if you are uncertain about the ground rules on a particular assignment, ask for clarification. Plagiarism means using the exact words, opinions, or factual information from another person without giving the person credit. Writers give credit through accepted documentation styles, such as parenthetical citation, footnotes, or endnotes. Paraphrased material must also be cited, using APA format. If you have any doubts about what constitutes plagiarism, please see me.

If you have a documented learning disability or other condition that may affect academic performance you should: 1) make sure this documentation is on file with Office of Disability Services (SUB I, Rm. 4205; 993-2474; http://ods.gmu.edu) to determine the accommodations you need; and 2) talk with me to discuss your accommodation needs.

Fellow Students *email must be Mason email account
1. Name: _______________________; Tel/email*: ______________________
2. Name: _______________________; Tel/email: ______________________
3. Name: _______________________; Tel/email: ______________________
4. Name: _______________________; Tel/email: ______________________
5. Name: _______________________; Tel/email: ______________________

Notice of mandatory reporting of sexual assault, interpersonal violence, and stalking: As a faculty member, I am designated as a “Responsible Employee,” and must report all disclosures of sexual assault, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1412. You may seek assistance from Mason’s Title IX Coordinator, Jennifer Hammat, by calling 703-993-8730 or email cde@gmu.edu. If you wish to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-993-3686 or Counseling and Psychology Services (CAPS) at 703-993-2380. The 24-hour Sexual and Intimate Partner Violence Crisis Line for Mason is 703-380-1434.
**READINGS MUST BE COMPLETED BEFORE EACH CLASS**

**All articles [and certain, but not all Scheck et al. chapters] are posted on Blackboard in the Week they appear**

<table>
<thead>
<tr>
<th>Week #, Dates</th>
<th>Topic(s)</th>
<th>Readings</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Aug. 29</td>
<td>NO READINGS</td>
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| 2. Sept. 5    | Overview of Wrongful Convictions | 1. Chapter 1 in textbook  
| 4. Sept. 19   | Forensic Science Evidence | 1. Chapter 4 in textbook  
| 5. Sept. 26   | False Confessions | 1. PP. 55-63; 64-68; 73-76 in textbook  
<p>| 6. Oct. 3     | False Guilty Pleas | 1. PP. 63-64; 68-72; 76-77 in textbook |       |</p>
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<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Readings</th>
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<tr>
<td>Oct. 10</td>
<td>Incentivized Informants and Snitches</td>
<td>1. Chapter 5 in textbook</td>
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<td>*Guest speaker: Dr. Glinda Cooper, Director of Science and Research, Innocence Project</td>
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<td>Oct. 31</td>
<td>No-Crime Cases &amp; Detecting and Correcting Miscarriages of Justice</td>
<td>1. Chapter 8 in textbook</td>
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<td>2. Chapter 9 in textbook</td>
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<td>Nov. 7</td>
<td>The Aftermath of Wrongful Convictions: Reintegration and Compensation</td>
<td>1. Chapter 10 in textbook</td>
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<tr>
<td>Nov. 14</td>
<td>NO CLASS</td>
<td>NO READINGS</td>
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<tr>
<td></td>
<td></td>
<td>Work on Research Proposal</td>
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<tr>
<td>Nov. 21</td>
<td>NO CLASS</td>
<td>NO READINGS</td>
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<td>Continue work on Research Proposal. Happy Thanksgiving!</td>
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<tr>
<td>Nov. 28</td>
<td>Actual Perpetrators: Public Safety and</td>
<td>1. Chapter 11 in textbook</td>
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<tr>
<td><strong>15. Dec. 5</strong></td>
<td>Wrongful Convictions: Continuing and Future Challenges 1. Chapter 12 in textbook</td>
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<tr>
<td><strong>Dec. 12</strong></td>
<td><em>Research Proposal due</em></td>
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