

CRIM 492 Honors Seminar
Wrongful Convictions in Virginia:
Examining Exonerations from Multiple Perspectives



CRIM 492-001; Spring 2019
Tue: 1:30—4:10pm; Enterprise 350

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Office hours: By appointment—always happy to meet

Recommended Readings:

Students interested in further reading may consider the following resources:

Cutler, B.L. (ed.) (2012). *Conviction of the innocent: Lessons from psychological research*. Washington, DC: American Psychological Association.

Garrett, B.L. (2011). *Convicting the innocent: Where criminal prosecutions go wrong*. Cambridge, MA: Harvard University Press.

Gould, J.B. (2008). *The innocence commission: Preventing wrongful convictions and restoring the criminal justice system*. New York: New York University Press.

Redlich, A.D., Acker, J., Norris, R. J., & Bonventre, C. (2014). (Eds). *Examining wrongful convictions: Stepping back, moving forward*. Durham, NC: Carolina Academic Press.

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 Exonerations (<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 Exonerations (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 exonerations 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 exonerations occur—this is the planned main focus of this honors seminar.

Course Activities

In the first semester of the course, students learned about the contributing factors to wrongful convictions and exonerations, and about the aftermath of these occurrences. In this second semester, students will conduct their own (or group) studies using methods that best address their research questions. At the conclusion of the course, students will present their work to the Criminology, Law and Society faculty and potentially others (at the College of Humanities and Social Sciences Undergraduate Research event).

This class is also a Students as Scholars Research and 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 www.OSCAR.gmu.edu or stop by the Office of Student Scholarship, Creative Activities, and Research.

Course Requirements

1. Weekly Research Journal & Attendance/Participation (15% of final grade)

Students will be expected to attend class (when formally scheduled; see below schedule) and participate in class discussions. Students are also expected to meet with the Professor about their research progress (likely to be scheduled on Tues. between 1:30 and 4pm). During these meetings, students should expect to show or tell the Professor the actual work they have done. Readings and other assignments may be assigned as needed during the semester.

Students will submit individual weekly journals to the instructor that detail their progress and obstacles in the research processes. The research journal should also include the number of hours spent working on the project (both inside and outside of class), explain what tasks were accomplished, any other relevant information. The format is up to the student but each should submission should be no more than 1 page.

Weekly research journals should be submitted via Blackboard. They are due by Tues. at 1:30 beginning Jan. 29. Students will be allowed to miss 2 journal submissions without penalty—10 submissions will be graded; however, if students choose to turn in journals the remaining weeks, they can receive 0.25% in extra credit toward their final grade (there are up to 4 opportunities for a possible total of 1% EC). Each journal submission will be graded 0 (not handed in or too late to be accepted; no work completed); 1 (handed in but insufficient work completed; sloppy, low effort) to 2 (handed in with sufficient work completed; no typos, put in effort). Grades will be based on amount of work completed, attention to detail (I do not like typos ☺) and effort.

2. Presentation/Lead Discussion of UVA IP Case (20% of final grade)

Each student will present to the class and lead the discussion of a University of Virginia Innocence Project case. All students will have read the case materials, but one student will be responsible for leading the discussion and writing up the case summary. Thus, this 20% of your grade is made up of your presentation, discussion

lead, and writing up case summary. Case summaries are due (by email) no later than 2 weeks after your presentation day.

Pres Date	Name	Case Summary Due	Presenter/Lead
Feb. 12	James Dante Green	Feb. 26	
Feb. 26	David Harris	March 12	
Mar. 26	Jeremy Johnson	March 26	
Apr. 9	Ricky Smith	April 23	

Students should create a powerpoint or prezi presentation—approximately 15-20 minutes in length. Generally, you will summarize the case (use the case summary template as a guide). More specifically, you should have slides for:

- Who: who is the person
- What happened?: describe the circumstances of the crime, the arrest, how the person came to be suspected (if known), etc.
- Possible problems with the case; possible leads to investigate (again, one student will lead this discussion, but all students should be prepared with possible leads for UVA to follow up on).
- Discussion topics for the class that you generate based on the case. **Not yes/no questions, but those that will generate discussion

3. Project Presentations (25% of final grade)

This portion of your grade consists of presenting your research study. Students will give both a Practice Presentation in class (April 30) and the Final Presentation to CLS (May 7). Please note that presenting your research to outside audiences is a requirement of Students as Scholars course.

Practice Presentations: Students will give a complete presentation of their research study. This will be similar to a dress rehearsal. The goal will be for the non-presenting students and professor to give feedback about the good and needs-to-be-improved aspects of the presentation.

Another goal is for the non-presenting students to learn about the presenting student’s study and findings. Because of this goal, it is probable that the Practice Presentations will be longer than the Final Presentations.

The Practice Presentation should include parts similar to your research paper [#5]. Students should cover:

- Brief background; why is your research important/needed/justified?
- Research question(s) and hypotheses
- Methods
- Results
- Discussion (interpretation of results)
- Limitations and what you learned by conducting the research

Final Presentations: Presenting at the CLS Awards ceremony is an event that the CLS honors' students do every year. This event is attended by faculty as well as family members of CLS students who are graduating and receiving awards. You are welcome to invite friends and family.

**There are other presentation opportunities that Honors' students often take part in. One is the CHSS Undergraduate Research Symposium. Last year it was held on April 30 (2019 date not yet announced). These are poster presentations, which are more one-on-one discussions. If students' results are ready in time, I highly encourage students to participate.

4. Research Paper (40% of final grade)

This semester will culminate with the production of a written research paper (estimated 20-25, along with a References section in APA format) that you will turn in by May 10, 5pm (uploaded to BB). The paper will include the REVISED portion of the research proposal you turned in last semester (i.e., your intro, lit review, and methods). In addition to revising based on my feedback you received, you will likely need to update your methods to reflect what you actually did over the course of this semester (and put in the past tense).

You will also need to analyze your results and write up your findings for the paper. You will then include a Discussion section, which is interpreting your findings AND placing them in the context of research that has already been done (some of which you already cited in your lit review).

Grades

The course components (attendance/participation; research journal; UVA IP case; study presentations; and research paper) 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)		C+	77-79%	(2.33)	
A	93-96%	(4.0)	<i>outstanding</i>	C	73-76%	(2.0)	<i>average</i>
A-	90-92%	(3.67)		C-	70-72%	(1.67)	
B+	87-89%	(3.33)		D	60-69%	(1.0)	<i>marginal</i>
B	83-86%	(3.0)	<i>good</i>	F	0-59%	(0)	<i>failing</i>
B-	80-82%	(2.67)					

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.

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.

Tentative Class Schedule and Assignments
(subject to change/additions)

****ASSIGNMENTS MUST BE COMPLETED BEFORE EACH CLASS**

Week #/Date	Topic(s)	Assignments	Notes
1: Jan. 22	Overview of Semester		
2. Jan. 29	Individual Meetings with Prof. Redlich	Weekly Journals begin	NO FORMAL CLASS
3. Feb. 5	Individual Meetings with Prof. Redlich		NO FORMAL CLASS
4. Feb. 12	UVA IP Presentation 1		
5. Feb. 19	Individual Meetings with Prof. Redlich		NO FORMAL CLASS
6. Feb. 26	UVA IP Presentation 2		
7. Mar. 5	Individual Meetings with Prof. Redlich		NO FORMAL CLASS
8. Mar. 12	SPRING	BREAK Weekly Journal Not <i>Required</i>	NO CLASS
9: Mar. 19	Individual Meetings with Prof. Redlich		NO FORMAL CLASS
10. Mar. 26	UVA IP Presentation 3		
11. April 2	Individual Meetings with Prof. Redlich		NO FORMAL CLASS
12. April 9	UVA IP Presentation 4		
13. April 16	How to Write a Results Section		
14. April 23	How to Write a Discussion Section	[last journal due; 4/30 one optional]	<i>Class will end by 2:45</i>
15. April 30	Practice Presentations	Weekly Journal Not <i>Required</i>	
May 7 1 – 3 pm		Presentation to Department and Others	Merten Hall, Room TBD
May 10		Final Paper due by 5pm	